

**IDEALS VS. REALITY IN HUMAN RIGHTS AND  
U.S. FOREIGN POLICY: THE CASES OF  
AZERBAIJAN, CUBA, AND EGYPT**

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**HEARING**  
BEFORE THE  
SUBCOMMITTEE ON INTERNATIONAL  
ORGANIZATIONS, HUMAN RIGHTS, AND OVERSIGHT  
OF THE  
COMMITTEE ON FOREIGN AFFAIRS  
HOUSE OF REPRESENTATIVES  
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## CONTENTS

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	Page
WITNESSES	
Ms. Jennifer L. Windsor, Executive Director, Freedom House .....	13
Morton H. Halperin, Ph.D., Senior Fellow, Center for American Progress .....	29
Mr. Frank Calzón, Executive Director, The Center for a Free Cuba .....	33
LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING	
Dr. L. R. Lawrence, Jr., President, Bob Lawrence & Associates, Inc.: Prepared statement .....	6
Ms. Kathryn Cameron Porter, President, Leadership Council for Human Rights: Prepared statement .....	10
Mr. Bryan Ardouny, Executive Director, Armenian Assembly of America: Prepared statement .....	11
Ms. Jennifer L. Windsor: Prepared statement .....	17
Morton H. Halperin, Ph.D.: Prepared statement .....	31
Mr. Frank Calzón: Prepared statement .....	37



# **IDEALS VS. REALITY IN HUMAN RIGHTS AND U.S. FOREIGN POLICY: THE CASES OF AZER- BAIJAN, CUBA, AND EGYPT**

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**THURSDAY, JULY 12, 2007**

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON INTERNATIONAL ORGANIZATIONS,  
HUMAN RIGHTS, AND OVERSIGHT,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC.*

The committee met, pursuant to notice, at 2:07 a.m., in room 2172, Rayburn House Office Building, Hon. Bill Delahunt (chairman of the subcommittee) presiding.

Mr. DELAHUNT. Good afternoon. The subcommittee will come to order. Let me welcome the witnesses.

Today's hearing is one in a series of hearings about U.S. policy relative to nations with poor human rights records. It follows an earlier series on foreign opinion of the United States, our image in the world, if you will, or how others perceive us. Those hearings found that anti-Americanism around the world, to use the words of the Government Accountability Office, is "broadening and deepening" and that it puts our national security, our efforts against terrorism, and our commercial interests at risk.

We heard testimony from multiple witnesses, which confirmed the GAO's conclusions. We also heard testimony that this disturbing reality is not because, as President Bush often says, they hate American values, but, rather, it is because of the belief that we are not acting in accordance with those values. We are, therefore, accused of hypocrisy because, all too often, our rhetoric is not supported by our deeds and actions.

It is frequently pointed out by others, particularly those who are our adversaries, that while we speak of human rights and democracy, we still support repressive regimes. President Bush was very eloquent in his second inaugural address, and let me quote him:

"All who live in tyranny and hopelessness can know the United States will not ignore your oppression or excuse your oppressors. When you stand for liberty, we will stand for you."

Just earlier this week, Secretary Rice said this, and let me quote the Secretary's words:

"What we want to do is to cooperate with governments that govern democratically, that are trying to deal with the concerns and aspirations of their people and that will uphold the

rule of law. That is, for us, the only basis for a good relationship.”

Let me repeat and underscore the word “only.”

These are ideals that I and, I am sure, all of my colleagues share. I believe in those words. I think they are most inspiring. But it is clear that, contrary to the Secretary’s lofty words, they are not the only basis for a good relationship.

Of the three countries we are discussing here, all are authoritarian regimes that abuse the rights of their citizens, according to the State Department’s Annual Human Rights Reports. But while we have an embargo on Cuba and restrict American citizens’ ability to travel there, we provide Egypt with \$2 billion worth of American taxpayer resources, and Azerbaijan receives assistance as well.

Just yesterday, Secretary Rice said this about Cuba and the ongoing transition of power occurring on that island, and these are her words: “We will stand for their right to free and fair elections when that transition happens, but we are not going to tolerate the transfer of power from one dictator to another.” Yet that is exactly what we did in Azerbaijan when Ilham Aliyev, the son of that country’s dictator, became the country’s President, in an election that our own State Department condemned as flawed. But he was welcomed by President Bush last year in the White House.

The same thing is happening in Egypt, where the current ruler, Hosni Mubarak, is grooming his son, Gamal, to be his successor.

There are numerous other examples all over the globe. Musharraf in Pakistan to Obiang in Equatorial Guinea to Karimov in Uzbekistan.

It is said by our adversaries that if you are a thug who supports American policy, you may get American tax dollars and the red carpet at the White House.

Now, I am not naive. I recognize that the choice is always not between good and evil but between less evil and more evil, on occasion. As my friend, the ranking member, Mr. Rohrabacher, who has just joined us, has noted in previous hearings, in World War II, we allied with Stalin to defeat Hitler, not much of a choice.

Likewise, Egypt has been of assistance to us in many ways, from promoting peace between themselves and Israel, between the Israelis and Palestinians, to supporting the war against al-Qaeda, and, of course, Azerbaijan has a lot of oil.

By the way, as an aside, I note that, just recently, al-Qaeda in Iraq had threatened to attack Iran if they did not stop supporting the al-Maliki government there. There are “Alice in Wonderland” moments in this world where up is down and down is up, and al-Qaeda attacking Iran.

Well, I would note that all of our witnesses seem to agree, at least in their written statements, that it is impossible to separate the world into black and white.

Ms. Windsor puts it well, and I will quote her now:

“Why we are strong advocates, we recognize the complexities of foreign policy, especially for the world’s lone superpower, require that sometimes we deal with unsavory regimes with bad human rights records. We acknowledge that, while the adherence to democratic principles and a respect for human rights

cannot always be the sole foreign policy principle for the United States in bilateral relations with any given countries, they can, and should always, be a key element in U.S. relations with all countries.”

But I would also note that there are profound consequences when we use rhetoric that does not accommodate nuance and is judgmental and conclusive in its absolutism.

My intention today is not necessarily to get into the details of the human rights situations in these countries, and I am sure we will bring up other countries; rather, it is to use them to address the question of how do we restore our image, our moral authority, if you will, by making our actions more closely in line with our rhetoric, or our rhetoric, on the other hand, more in line with our actions: Honesty, if you will; dealing in an honest way with our own behavior.

I want to emphasize that the problem is not the State Department’s Human Rights Reports. They are generally regarded as accurate. I believe that they are compiled in a way that reflects integrity and professionalism. I am sure they are not always right, but, then again, neither are any of us.

My question is: What do we do with these reports? Do they actually influence policy? They do not appear to have the kind of significance, I would suggest, that they should.

I am going to call to my colleagues’ attention the chart that is to my left, and it tracks the Freedom House rating for each of these countries, with the money that we dedicate to those particular countries: Cuba, Azerbaijan, and Egypt. Except for a single year, in the case of Azerbaijan, it does not appear that there is, in any way, a correlation between the level of freedom in that country and the amount of United States taxpayer dollars that is obligated.

This other chart shows how much we spend on promoting democracy in each of those countries. It should come as no surprise that everything spent on Cuba, the only one of those dictatorships that we do not like, is to promote democracy, even though a recent report by the Government Accountability Office found that it is impossible to tell how much of this money is actually being used for that purpose. But note that democracy promotion in Egypt is practically nonexistent.

Things have become so bad, in terms of our perception in the world, that the State Department Human Rights Reports are now seen as another example of American hypocrisy because we criticize other countries for practices that we have engaged in, such as secret detention, torture, et cetera, et cetera, yet we fail to produce a similar report on our own compliance with international treaties and conventions related to human rights.

In our first hearing on this topic, Assistant Secretary of State for Democracy, Human Rights, and Labor Barry Lowenkron said that one of the strengths of the democracy is that it has, and, again, this is his term, but I think it is a very apropos one, “self-corrective mechanisms.” While we have a problem, and, I would submit, it needs to be corrected, and I am working, and, hopefully, we will introduce legislation before we leave for the August work period which will create a congressional commission to report on our own

compliance with human rights treaties, obligations, and our own domestic laws.

America should not be afraid of self-examination, and I dare say that, by doing that, we demonstrate to the world that we are a healthy, vibrant democracy; that we can acknowledge our own imperfections; and that is what makes us so special among the family of nations.

So, with that, I would like to thank my colleagues. I see two of the minority here and none of the majority, which is unusual. However, let me introduce, for any opening remarks he may wish, my friend, the ranking member from California, Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman. I think that truth is our number one goal here, and consistency of policy is not necessarily something that is a denial of truth. Consistency of policy may well be dictated by practical decisions of the day, as in when we allied with Stalin against Hitler, but one should not then deny the monstrous nature of the Stalinist regime, and to the degree that the United States, in order to achieve certain foreign policy objectives which may, in the end, make this a freer world, has had to maneuver in a way which put us into a relationship with less-than-free regimes.

I do not see that as being a crime in any way, and I do not see that as being inconsistent necessarily with the goals of establishing a free society and a freer world, as long as we are committed to the truth, as long as we do not deny certain things within those regimes and that we, as official policy, move toward making sure that those regimes understand that this is not consistent with our beliefs and that we try to push them in the right direction in the long run and even in the short run.

I do believe there has been a double standard and somewhat of a hypocritical moral posturing on the part of people, in terms of Cuba, but the double standard that I see, in terms of Cuba, is the double standard of the media and the liberal left, academic elite that ignores the oppressive nature and criminal nature of the regime in Cuba, which, of course, we have the longest-lasting tyrant of all still in power in Cuba, and while ignoring that we had just here—I guess it was last week—testimony from people who were very concerned about some perhaps questionable, and have proven to be inexcusable, activities by an American corporation to try to thwart the unionization, or the activities of their unions, in Colombia, yet our own witness admitted that he had gone to Cuba as a place to relax and to go on a vacation, an island that has not had a strike or an independent labor union movement for 30 or 40 years.

Now, do I call that a double standard? I certainly do, and that double standard is pervasive throughout the world, in the sense that if you have an anti-American regime like that in Cuba, it gets a pass when talking about all of the political prisoners and the suppression of labor union movements, et cetera.

Of the countries that we have chosen to look at today to see if America has a double standard—Egypt, Azerbaijan, and Cuba—certainly, the Egyptian Government does not have an acceptable record in certain areas. The Egyptian Government, I will have to say, in comparison to most of the countries in that region, I think,



is better than some of the other countries, most of the other countries, in that region and certainly better than Cuba. Egypt has an unacceptable human rights record. We should be pushing them in the right direction.

However, the Egyptians do have a lot of things that they do not have in Cuba. In Egypt, I understand, there are actually some opposition parties. Yes, they face some hard times, not as hard as they are in Cuba because they cannot exist in Cuba.

Azerbaijan: Obviously, any country which is ruled by someone who is the son of the last dictator, certainly you have to question whether or not that is, in any way, a free country and that the government represents freedom. But let us note that, in Cuba, that is done even beyond what is being considered, what is happening in Azerbaijan. You have had Castro in there forever, and when Castro is sick, it is his brother that assumes authority. This is like the North Korean system of choose your leaders here in one family, and you end up with psychopaths in charge of the government.

So let us admit, there are certainly negative aspects to some of the things. I would like to see a more, for example, independent judicial system in Egypt. I would like to see, certainly, a lot of reform in Azerbaijan, and in those areas, they do not meet the standard.

Cuba does not even come close. However, when we are trying to examine what is consistent or inconsistent with American foreign policy, let us also put into that equation what impact those governments are having on the stability of the world and on the ability of other countries that are freer countries to function.

Egypt is playing a positive role that we should never, ever ignore. Egypt is playing a role to try to bring peace between Israel and the Arab countries. At great risk to the Egyptian regime, they have taken tough stands. We should be grateful for that and treat that as something that means they are trying to be friendly with the United States and the West and thus nudge them, as a friend, in the right direction to correct some of the problems in their society.

Azerbaijan has what? It is one of the few Muslim countries that have sent help to us in Iraq to try to create a stable situation so that you could possibly have a democratic government in Iraq.

Cuba, on the other hand, has a record, a nearly 50-year record, of hatred toward the United States and, under Castro's leadership, international activities that undermine democracy in every place that they could. The Cuban Government has conducted a 40-year war against America. Is it inconsistent for us, then, to say, the countries that are trying to play a positive role internationally should be treated different than the country that has declared war on the United States and supported left-wing dictators wherever it could?

I do not think that is inconsistent, and I do not think it was inconsistent for us to help Stalin against Hitler, and I would suggest that the inconsistency, which you believe, apparently, is the reason for people not liking and not supporting the United States and us not being popular, I, again disagree with that assessment.

I will tell you, we could have had every different kind of policy toward Castro, and Castro and people who are dedicated to Marxism-Leninism during the Cold War would still hate the United

States because Marxism-Leninism is totally at odds with the concept of individual freedom and democracy that we believe in in the United States.

They do not believe in independent labor union movements; they believe everybody is part of the same union, which, of course, is controlled by the government. And they do not believe in freedom of the press. That is bourgeois freedom. During the Cold War, Castro and the people of Cuba and other Marxist-Leninists would not have thought more of us and used their influence otherwise.

Today, we face another war, the war with radical Islam, and, again, I would state, no matter what the policies of the United States foreign policy-wise, the radical Islamist movement hates our way of life. They hate the fact that we have women in our audience today who are not totally covered. They hate the fact that women, in fact, are even permitted to participate in a public discussion or to be educated. They hate our openness toward religion, toward respecting other people's faith, and they hate the openness of our society.

Radical Islam hates us, and it has nothing to do with American foreign policy: They hate our way of life, and we need to defeat that evil just as we defeated communism and just as we defeated Nazism and Japanese militarism before, and, yes, there are some compromises that are made when trying to defeat the most aggressive and most threatening philosophy of the day. Yes, there are compromises that are made.

We should not compromise truth. We should never compromise truth. We should never say lies to ourselves or to the people, but we should put things in perspective, and I hope this hearing will give us an opportunity to examine these issues and put things in perspective.

Mr. DELAHUNT. I thank my friend, and I would call on the gentleman from Arizona, Mr. Flake, for any comments or statements he would like to make, but I think I should note for the record that the individual who ran against Mr. Mubarak is now dying in an Egyptian prison, Ayman Nour, who is recognized as a leading journalist and someone of great courage, and human rights groups have severely condemned the action of the Egyptian Government in putting that individual, incarcerating him on purportedly trumped-up charges so that he is now dying in a prison in Egypt. Mr. Flake?

Mr. FLAKE. I would like to hear the witnesses, so I will just pass.

Mr. DELAHUNT. Thank you, Mr. Flake.

I would like to note that several organizations have asked permission to submit statements for the record. They are the Association for Civil Society Development in Azerbaijan, the Leadership Council for Human Rights, and the Armenian Assembly of America, and, without objection, their statements will be added to the hearing record.

[The information referred to follows:]

STATEMENT SUBMITTED FOR THE RECORD BY DR. L. R. LAWRENCE, JR., PRESIDENT,  
BOB LAWRENCE & ASSOCIATES, INC.

#### HUMAN RIGHTS IN AZERBAIJAN: A STATUS REPORT

Mr. Chairman and Members of the Subcommittee: I am Bob Lawrence, and I am President of Bob Lawrence & Associates, Inc. of Alexandria, Virginia. Our firm em-

employs approximately 30 people, including our part-timers, and a major part of our effort is dedicated to supporting a group of native NGOs which are working in Azerbaijan on a variety of efforts aimed at improving the human condition there. Among their efforts is a focus on Human Rights.

As you know, Azerbaijan has been under repressive domination for the past two centuries, first by the Russian Empire, and then by the Soviet Union. Briefly, from 1918 to 1920, Azerbaijan was an independent republic. In those years, the country quickly implemented several freedoms unknown there before that time, such as women's suffrage. In fact, Azerbaijani women could vote a year before American women could. Then, in 1920, the Bolsheviks moved in and crushed this glimmer of hope.

However, the desire for freedom and independence persisted, and in 1988, three years prior to the fall of the Soviet Union, Azerbaijan began to agitate for independence. The demonstrations and desires were met with a crushing defeat as Gorbachev sent a detachment of heavily armed Russian troops, together with Armenian contingents, into Baku, the capital, and killed hundreds of Azeris.

In 1991, when the Soviet Union fell, Azerbaijan finally gained its independence, but was soon to be attacked by Armenian forces supported by the marauding Russian 366th Armored Regiment. Today, Armenia still controls 8 provinces of Azerbaijan, in spite of strong Resolutions by the United Nations Security Council, the Council of Europe, and OSCE, among others. However, the unoccupied portion of Azerbaijan became free and independent.

In 1991 and for the next few years, the focus was on survival, and a strong and forceful leader, such as Heydar Aliyev, was needed to bring some semblance of security and predictability to the lives of the people in the country. Today, Azerbaijan is led by his son, democratically elected Ilham Aliyev, a man with a Ph D in International Relations and the capability to speak four languages, including English. This highly educated man is dedicated to making this nation a thriving democracy and a shining example in the region.

Even with this difficult history, Azerbaijan has always had a strong cultural focus on education, and along with education comes the desire for human rights. Today, as the country gains from sales of oil and gas, it has the fastest growing economy in the world, and the populace has the opportunity to move from a focus on basic survival to a life consistent with modern democracy. From my experience, I firmly believe that the policies of President Aliyev strongly support this effort.

One of the beauties of working with Azerbaijan is the opportunity to go there on an annual basis, spend at least a week, and sense the very real progress that is taking place in many sectors. I was there last week, and I have seen the results of the average annual wage doubling over the past two years and the large investments in residential and commercial construction. I also saw the extensive housing communities being built to improve the lives of the refugees from Nagorno-Karabakh, of which there are approximately 1,000,000. And most important for this testimony, I was able to interact with a group of NGOs which are working on improving the basic tenets of human rights in the country. I am happy to report that there is energetic, focused effort on this, and measurable progress.

For the remainder of this testimony, I would like to present to you just a few examples of the improvements in human rights which are occurring.

#### *Human Rights Day:*

Azerbaijani President Ilham Aliyev issued a decree declaring June 18 as Human Rights Day in Azerbaijan. The decree was signed in respect to the "State Program on Human Rights Protection" confirmed by the late President of Azerbaijan, Heydar Aliyev, in 1998, on the same day.

#### *Recent Amnesty Actions:*

The Azerbaijan parliament recently passed an amnesty bill that will set free 1,500 prisoners and reduce or remove sentences and fines for 10,500 more people. The bill was introduced by Member of Parliament and President of the Heydar Aliyev Foundation, Dr. Mehriban Aliyeva, First Lady of Azerbaijan. Madame Aliyeva said the Heydar Aliyev Foundation frequently receives appeals from prisoners and their families. "It is necessary to help people who made mistakes by committing crimes," said Madame Aliyeva. "Passage of the amnesty bill demonstrates that Azerbaijan supports humanitarian values," Madame Aliyeva said.

Set to be implemented within the next three months, the amnesty covers people deemed not to represent a threat to society, such as:

- women convicted of minor crimes;
- disabled people

- men 60 years of age or older
- those who were under 18 when they committed their crimes
- men who care for underage or disabled children
- participants in battles for the independence and territorial integrity of Azerbaijan
- close relatives of participants in those battles
- deportees from Armenia as a result of ethnic cleansing and Armenia's policy of terrorism and genocide
- Internally Displaced Persons resulting from Armenia's occupation of Azerbaijani territories in 1988–1993
- those disabled during the Tragedy of 20 January, 1990 and Khojali Genocide, and those close to people who took part in these events
- people whose term of imprisonment was to be less than 6 months
- people sentenced to deprivation of freedom and public correctional works
- those whose sentences have been postponed

The amnesty will not cover people convicted of committing serious crimes, nor those who have not compensated others for the damage caused by their crimes.

The parliament has passed seven similar amnesty bills since 1995. A total of 32 Presidential pardon decrees have been issued. The number of people affected to date totals 77,000 people, with 21,325 released from correctional institutions.

#### *Journalism in Azerbaijan:*

Journalism in Azerbaijan had a rough beginning. In Soviet times, journalism consisted of writers who were told what to write, and got paid for writing what they had been told, regardless of the veracity (or not) of the content. Transforming over 70 years of that culture into a media that is free, independent, and motivated to search out objective facts and opinions is a difficult task, at best, but it is clearly underway. Today, Azerbaijan has over 2000, registered, media outlets. Some of these outlets have several journalists, and some share the same journalist(s). Therefore, it is estimated that the number of journalists in Azerbaijan is approximately the same as the number of outlets, or about 2000.

Of the 2000, seven are presently in jail on charges ranging from slander and libel to making terrorist threats. Two of the seven are in jail for disparaging Islam and the Muslim religion. 1993 journalists remain free and are writing on a daily basis. Although I do not have all the details of all of the charges against the seven, it is clear to me that Azerbaijan culture and tradition is such that libel and slander are taken very seriously there, as opposed to the United States, where personal attacks are often seen in politics. In Azerbaijan, two of the imprisoned journalists attacked an uncle of the President, accusing him of corruption. According to press reports, these journalists were unable to back up their charges with factual information. In the case of the two journalists accused of disparaging Islam, that action is considered so reprehensible in the Muslim world that top clerics in Iran have sworn a Fatwah against these journalists, urging faithful Muslims to take the lives of these two.

Native NGOs in Azerbaijan are actively involved in training programs and conferences to improve the quality and freedom of journalism there. An NGO has now launched preparations for organization of an international conference dedicated to research of the media problems in Azerbaijan and presentation of a new media strategy. This will take place this Fall. It is interesting to know that the idea of this conference belongs to the Azerbaijan Free Speech Foundation, a local NGO founded by Mr. Musa Yagub, one of the most famous poets and publicists of Azerbaijan. He is also co-founder and one of the leaders of the "Amal" movement of Azerbaijani intelligentsia.

#### *Reducing Corruption:*

As part of Azerbaijan's continuing and intense efforts to achieve full transparency in all governmental and civic affairs, various senior elements of the U.S. government went to the capital city of Baku earlier this year, to participate in a conference together with top counterparts from the government of Azerbaijan. Western observers interested in Azerbaijan's reform activities and accomplishments have been welcomed openly.

Scott Taylor, USAID's Azerbaijan country coordinator, provided his evaluation of the progress by saying that Azerbaijan has achieved significant progress in combating corruption in a very short time period. Taylor, along with officials from the Department of State, Department of Justice and other U.S. agencies, was at the

much anticipated conference, *National Strategy for Increasing Transparency and Combating Corruption*. An example of the leadership being taken by Azerbaijan's government to remove high level corruption is the recent arrest of Farhad Aliyev, the former Minister of Economic Development, who is accused of a wide array of corrupt activities and treason.

The Ministry of the National Security, the Ministry of Internal Affairs and the General Prosecutor's Office released a joint statement explaining the charges. They stated that ex-Speaker of the Parliament Rasul Guliyev had attempted a coup to overthrow the government. Guliyev is in exile in the United States. An investigation showed that Guliyev networked with criminal elements within Azerbaijan interested in a coup and ready to use their financial resources for provoking armed resistance. Farhad Aliyev is alleged to have been one of the leaders within Azerbaijan, helping Guliyev with the coup attempt.

The investigation showed that there was a plan to bring a large number of people to the Baku airport and surrounding areas just prior to the elections of 2005. Armed groups were to be formed for the purpose of attacking law enforcement units and causing clashes that would lead to the coup. With this plot in mind, Farhad Aliyev's team hid guns, ammunition and explosives along the route from the airport to the Parliament building.

One day after the arrest of the Aliyev brothers, additional senior level individuals also were arrested, including Health Minister Ali Insanov and Akif Muradverdiyev, the powerful chief of Presidential Apparatus responsible for financing the state-run Khalg Gazeti newspaper. According to reporting by Global Insight, those removed from power were viewed by the vast majority of the electorate as being corrupt, and support for the government of Azerbaijan's vigorous efforts to root out corruption continue to gain overwhelming public support.

On the basis of the collected evidence and the decision of the Prosecutor General of the Azerbaijan Republic, a criminal case was launched October 18, 2005 against Farhad Aliyev under Articles 179.3 (misappropriation and squandering), 308.2 (abusing official powers), 28, 220 (attempt for unrest), and 278 (violent capture of power) of the Criminal Code of the Azerbaijan Republic. On October 19, 2005, Farhad Aliyev was detained as the suspect in the case.

Today, the investigation-operative group of employees of the Prosecutor General, along with the ministries of national security and internal affairs, are undertaking all appropriate investigative actions directed at every aspect of the coup plot and the involved parties. The Azerbaijani Press Agency (APA) reported that, on April 17, 2007, the cases of Farhad Aliyev and 19 other individuals accused of corruption have been sent to the "Grave Crimes Court" for judicial disposition.

The U.S. government has monitored these and other anti-corruption efforts instituted by the government of Azerbaijan, and the judgment of senior U.S. officials such as Scott Taylor give every indication that the transparency campaign continues to make enormous progress.

#### *Conclusion:*

Mr. Chairman, I could go on with numerous other examples of efforts underway in Azerbaijan to improve human rights, including the efforts of the local NGOs with a focus on improving human rights. However, I will finish with just one other, telling statement, showing the motivations of this impressive, small country and its leadership. I was in Azerbaijan for the 2005 Parliamentary elections and witnessed, first hand, how they were run. There is no question in my mind that President Aliyev wanted the election to be conducted and accepted by international standards. Much of the election went that way; some of it did not. President Aliyev ordered that the "irregularities" that occurred in the election be corrected, including re-running the elections in those Districts where the irregularities were not correctable. In fact, some 10 election Districts out of 125 were in such a state that they could not be corrected. Unique to the former Russian Republics, President Aliyev then called for a re-election in those remaining election districts in question. In May of 2006, the re-election occurred. It went so smoothly, with no reported irregularities, that the international press didn't even report on it, because excellently executed elections do not make international news. The fact that President Aliyev re-ran the elections in questionable Districts is unique to leadership in the former Russian Republics.

While everything may not have gone as smoothly or expertly as we might have liked, nevertheless, there has been substantial improvement in election reform, much as there has been significant progress in other aspects of Azerbaijan's civil society. It is important to bear in mind that Azerbaijan has had only a brief taste of democracy, but the leaders, there, have a strong commitment to democratic principles.

We must also remember that Azerbaijan is a solid American ally in a treacherous part of the world, a country which is our partner in the war on terrorism. Just this week, State Department officials, once again, thanked the Government of Azerbaijan for its effort on global security concerns.

In closing, Mr. Chairman, I want to thank you for the opportunity to present this testimony, and I would encourage the Members of this Subcommittee to watch and participate in the very positive evolution that this country is going through. It is an exciting event.

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STATEMENT SUBMITTED FOR THE RECORD BY MS. KATHRYN CAMERON PORTER,  
PRESIDENT, LEADERSHIP COUNCIL FOR HUMAN RIGHTS

Subcommittee Chairman Delahunt, thank you for the opportunity to submit this statement for the record.

Whitewashing human rights abuses to protect our allies from criticism should never be regarded as a legitimate component of foreign policy. Yet that is exactly what is happening with respect to U.S. foreign policy in Egypt. We have witnessed attempts by the U.S. government to deliberately obfuscate the truth about human rights in Egypt, and this course of action can lead to no positive end. All that is accomplished by such ill-conceived efforts is propping up the government of Hosni Mubarak and ensuring that U.S. hypocrisy is acutely felt by the many Egyptians who suffer under his rule. Not only is the U.S. made complicit in Mubarak's rights violations by looking the other way, U.S. government officials have actually rewritten the facts to cast a more favorable light on an ugly regime.

The U.S. Ambassador to Egypt, Francis Ricciardone, has repeatedly offered statements about Egypt's human rights situation that do not reflect the reality on the ground. His remarks have painted "a chillingly sunny picture of Hosni Mubarak's government," the *New York Times* recently reported. A *New York Sun* editorial, "Recall Ricciardone," published May 3, cited the Ambassador's comment in a television interview that Egyptians enjoy freedom of speech, an absurd claim in light of ongoing crackdowns by the Egyptian state security apparatus, which Mubarak uses to muzzle democracy activists, religious minorities, and political opposition parties, to name a few targeted groups.

A July 10 *Wall Street Journal* editorial by Bret Stephens, "Public Diplomacy for Dummies," highlights other notable statements made by the Ambassador. Stephens writes:

In interviews with the Egyptian media, Mr. Ricciardone has said that American officials have "no right to comment" on the case of Ayman Nour, the former opposition leader imprisoned on trumped-up charges; that faith in Egypt's judiciary is "well-placed," and that president Hosni Mubarak—now in his 26th year in office—"is loved in the U.S." and "could win elections [in America] as a leader who is a giant on the world stage."

Ambassador Ricciardone is not the only one guilty of perpetuating Mubarak's impunity by peddling distortions, half-truths and outright falsehoods. The current administration is also to blame. Members of the executive branch tout their democracy promotion agenda, then wink and nod as Mubarak gives his latest excuse for delaying democratic reforms in Egypt: the rise of the Muslim Brotherhood. In the administration's most recent overture, Vice President Cheney in a meeting this week with Egyptian Foreign Minister Ahmed Aboul Gheit "indicated that the U.S. administration is against setting any preconditions [on military aid to Egypt] and promised to work with Congress to resolve the situation in the upcoming legislative process," according to a press release on the Foreign Affairs for Egypt website.

The conditioning of \$200,000,000 military aid based on Egypt protecting the independence of the judiciary, curbing police abuses and destroying smuggling tunnels to Gaza, is a small but symbolic gesture. This is a tangible way for Members of Congress to show Mubarak that the U.S. is serious about making human rights a central tenant of its foreign policy. While Vice President Cheney works to "resolve the situation" for his friends in the Egyptian government, the Congress must not be fooled by such rhetoric. Now is the time to send an unequivocal message to Mubarak that the human rights double standard for Egypt has ended. Now is the time to demand that all U.S. officials, including the President, members of his administration, and the Ambassador to Egypt speak the truth about human rights. If not, the suffering of the Egyptian people—and their seething resentment about two-faced U.S. foreign policy—will continue to grow, further destabilizing the Middle East.

Their grievances are myriad. Everyday indignities plague the vast majority of Egyptians, and especially the nation's minorities. The Coptic Christians, Egypt's largest ethno-religious minority, are restricted from worshipping freely and face on-

going discrimination and harassment by the Egyptian government. For those who convert to Christianity, they either go into hiding or risk death. Forced conversion of Coptic girls to Islam is aided and abetted by agents of the state. Women are in danger of acid attacks for wearing crosses and not veiling, and churchgoers are targeted for stabbings, simply because of their faith. Historically, the Egyptian government has done nothing to protect them. The Bahá'ís are not even recognized as a legitimate faith group; as a result, they are unable to obtain national identification cards needed to access basic citizenship rights, including employment, education, medical and financial services, freedom of movement and security of property. Bedouins, too, have been marginalized by the government and pushed to the edges of society. Egypt's youth, while not technically a minority, are precluded from a viable future by the corruption of the Egyptian government, which feathers the nest of its own and ignores those not part of the elite.

Advocates of political reform are perhaps the government's favorite target. Consider the cases of Dr. Saad Eddin Ibrahim and Ayman Nour. Dr. Ibrahim, imprisoned on false charges in 2000 and later released and acquitted following the international outcry of the human rights community, has again been singled out for harassment for his civil society activism as founder and director of the Ibn Khaldun Center for Development Studies. Reports indicate that Dr. Ibrahim may face charges of treason on the grounds of dealing with foreign powers to harm the interests of Egypt. A smear campaign is ongoing in government-owned media outlets, which have labeled the Ibn Khaldun Center the "Son of Zion" Center.

Meanwhile, Nour, who ran against Mubarak in the country's first "open" presidential election, remains in a Cairo jail more than two years after his wrongful imprisonment. His wife, Gameela Ismail, has repeatedly begged for his release due to his failing health. Her pleas and those of the international community fall on the deaf ears of a callous regime.

In June, President Bush referenced Nour at a conference of dissidents in the Czech Republic. Naming him along with others who have been unjustly jailed, he called for the individuals' immediate and unconditional release. He added, "I have asked Secretary Rice to send a directive to every U.S. Ambassador in an un-free nation: Seek out and meet with activists for democracy. Seek out those who demand human rights."

The President's statement does not go far enough to chasten the Mubarak regime, and as of today Ayman Nour—not to mention countless other innocent Egyptians—has not been released from the jail sentence which may well turn out to be his death sentence. The Egyptian government will not take U.S. concerns about human rights seriously unless words are matched by actions. If the U.S. shows by its actions that it is not serious about human rights, it is not serious about sound foreign policy.

The U.S. House of Representatives is the people's house. If the American people stand in solidarity with the Egyptian people to demand improvement in basic human rights and rule of law, we can at the very least create hope at a time when there is only a dying light of freedom.

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STATEMENT SUBMITTED FOR THE RECORD BY MR. BRYAN ARDOUNY, EXECUTIVE  
DIRECTOR, ARMENIAN ASSEMBLY OF AMERICA

Chairman Delahunt,  
Ranking Member Rohrabacher,  
Distinguished Members of the Subcommittee,

The Armenian Assembly of America commends the Subcommittee for its decision to hold a hearing on U.S. policy toward select regimes violating human rights, including Azerbaijan.

As part of the South Caucasus, Azerbaijan has benefited from the region's growing importance to U.S. national interests. At the same time, Azerbaijan has come under serious criticism by governments and NGOs alike for its human rights practices, and its lack of effort toward developing a civil society based on the rule of law. According to the Transparency International's Corruption Perception Index, Azerbaijan is one of the most corrupt countries in the world, ranking 130th out of 163.

In addition, Azerbaijan has never held a democratic election, as documented recently by the Freedom House country report on Azerbaijan, and has in fact transitioned towards a hereditary autocracy. This regime has fostered an atmosphere of intolerance for free speech and free press by regularly resorting to violence and arbitrary judicial practices. It also restricts the most basic rights and freedoms of its citizens, including those of ethnic and religious minorities, in particular members of the Armenian minority, who are routinely harassed and intimidated. In a continuing assault against independent media, a number of journalists and editors

have been arrested, beaten and tortured in 2006, for criticizing the government. One of these cases has resulted in a fatality.

The Azerbaijani government has also consistently failed to condemn Ramil Safarov, an Azeri military officer who in 2003 brutally murdered an Armenian participant at a NATO Partnership for Peace military training exercise in Budapest, Hungary. Instead, it has encouraged domestic media and various organizations to treat the murderer as a celebrity. That individual has since been awarded the title of “Man of the Year” by Azerbaijan’s National-Democratic Party.

The arbitrariness and defiance with which the Azerbaijani regime has treated its citizens for years has only intensified with the regime’s access to a new source of wealth—oil revenues. The commissioning of the Baku-Ceyhan pipeline and its associated infrastructure has enabled Azerbaijan to experience an unusual influx of wealth generated by oil and gas production and exports. That wealth, however, has not translated into meaningful benefits for ordinary citizens. Rather than address the country’s economic and human development needs, including critical gaps in healthcare, education and the social sector, enormous resources have been directed toward the procurement of equipment and other hardware for the military and security services, resulting in a dramatic increase in restrictions on political and civil liberties, and a surge in war rhetoric against Armenia and Nagorno Karabakh.

In just the past three years, Azerbaijan has become one of the world’s most rapidly militarizing regimes, having increased its military expenditures between 2004 and 2007 by an unprecedented 638 percent from \$141 million to \$900 million (6.31 percent of its GDP in 2006). During this same period, the Azerbaijani military was captured on film destroying Armenian headstones of the Old Jugha (*Julfa*) Cemetery—a medieval architectural ensemble of rare cultural and historic value. This action, which took place in Nakhichevan, Azerbaijan, and is reminiscent of the destruction of the statues of the Buddha in Afghanistan by the Taliban in 2001, was the latest in a series of outbreaks of vandalism at the cemetery, with earlier incidents recorded in 2002 and 1999. To date, Azerbaijan has denied requests by European and international inter-governmental organizations and NGOs to conduct a fact-finding mission to Julfa, and has also refused to investigate this incident itself.

The destruction of the Julfa Cemetery also raises serious concerns regarding other remaining historical monuments, including the Armenian cathedral of St. Gregory the Illuminator in the center of Baku. To date, the Azerbaijani media is awash with proposals to demolish the cathedral, convert it to a mosque, or use it for some other non-religious purpose. In the meantime, according to eyewitness accounts published in the media, “tourists arriving in Baku take pictures of the burnt walls of the Armenian Church and the garbage near them.”

Respect for human rights and freedom of expression are fundamental values. As a leader on the world stage, the United States can and must do more to ensure that respect for human rights and fundamental freedoms are upheld. We therefore urge this Subcommittee to press the Azerbaijani government to ensure that a thorough investigation into the destruction of the Julfa site takes place. We also remain concerned that the rapid military escalation by Azerbaijan not only poses a threat to democratic development and human rights, but also to regional stability and security. We therefore, urge this Subcommittee and Congress to implement policy measures that will bring about a de-escalation of tensions in the region, as well as foster greater respect for human rights. Finally, we urge this Subcommittee to undertake measures to ensure the protection of ethnic and minority rights, and in particular the preservation of the Armenian cathedral of St. Gregory the Illuminator.

Mr. DELAHUNT. Now, let me introduce our witnesses. Jennifer Windsor, and I am just going to read a small excerpt from their extensive résumés—they are all well-known figures in their own right and people who come to this issue with significant backgrounds and great passion.

Ms. Windsor became the executive director of Freedom House in January 2001. Before that, she worked at USAID for over 9 years. She most recently served as the deputy assistant administrator and director of the Center for Democracy and Governance in the Global Bureau at USAID. She is an adjunct professor at Georgetown University, where she teaches a graduate seminar on democratic development at the School of Foreign Service.

She has done consulting work for the National Democratic Institute in Harvard’s Center for Criminal Justice.



From 1986 to 1989, she worked on foreign policy issues for Senator Daniel Patrick Moynihan and Congressman Ted Weiss. She is a graduate of the Woodrow Wilson School at Princeton and Harvard University.

Welcome, Ms. Windsor.

Mort Halperin is a senior fellow at the Center for American Progress. He is also director of U.S. advocacy at the Open Society Institute and executive director of the Open Society Policy. He also served in the Clinton administration as a special assistant to the President and senior director for democracy at the National Security Council.

Born in Brooklyn, New York, in the late thirties, he received a B.A. from Columbia College in 1958 and a Ph.D. in international relations from Yale in 1961. He is a member of the American Civil Liberties Union, the Council on Foreign Relations, and the International Institute of Strategic Studies.

Welcome, Mr. Halperin.

Frank Calzón is executive director of the Center for a Free Cuba, an independent, nonprofit, nonpartisan, human rights and pro-democracy organization founded in November 1997. The center promotes democratic values and a transition to democracy in Cuba. The center gathers and disseminates information about Cuba and Cubans and administers grants from USAID, the National Endowment for Democracy, and private foundations. The center participates in policy debates on Cuba.

Mr. Calzón holds a bachelor's and a master's degree in political science from Rutgers and Georgetown University, respectively. He has testified before congressional committees on Cuba and United States policy. Throughout the years, he has been quoted, and his opinion columns have appeared in *USA Today*, the *Chicago Tribune*, the *Miami Herald*, and just about every other major publication in the United States.

Welcome, Mr. Calzón. Why don't we proceed with Ms. Windsor?

#### **STATEMENT OF MS. JENNIFER L. WINDSOR, EXECUTIVE DIRECTOR, FREEDOM HOUSE**

Ms. WINDSOR. Thank you, Chairman Delahunt, Congressmen Rohrabacher and Flake. Thank you for calling this important hearing and for inviting Freedom House to testify. I want to say that it is a real honor to be able to testify alongside Mort Halperin and Frank Calzón, two legendary figures with vast experience in advancing human rights.

I would like to offer a few opening thoughts on the issue posed today and ask permission that my full testimony be included in the record.

Mr. DELAHUNT. Without objection, so ordered.

Ms. WINDSOR. First, any assessment of the effectiveness of U.S. policy needs to be grounded in an accurate assessment of the state of human rights and freedom within each country. I will provide you some essential facts related to three of the cases that we are discussing today and refer you to our narrative reports for additional details.

All three countries—Egypt, Cuba, and Azerbaijan—are hampered by political systems that do not respect fundamental political and

civil rights and are currently ranked as not free in our annual survey of political rights and civil liberties, *Freedom in the World*.

How each regime operates and attempts to control their own populations are quite different, as is the regional context in which they operate, yet it is worth noting that there are similarities. Each of these governments arrest journalists for practicing their profession, stifles meaningful political competition, shows a blatant disregard for internationally recognized human rights, and seeks to isolate its people from a global exchange and dialogue on freedom.

In the first heady years of the Soviet Union's breakup, Azerbaijan received its best scores for political rights but has remained mire at the same low level since 1993. The current government of Ilham Aliyev has declared its intention to embrace democratic reform, but the irregularities in the November 2005 election and the massive crackdown against opposition activists who protested against those electoral results tell a different story.

Civil liberties have fared slightly better but just. Journalists have felt the brunt of the government's antidemocratic behavior in recent years, and Azerbaijan now ranks 164th out of 195 countries that we evaluate on the basis of their respect for press freedoms. The regime has been able to effectively utilize its enormous petro wealth to further consolidate its control over society.

Cuba receives the worst possible rating in Freedom House reports and is one of the eight most repressive regimes in the world. It is among the worst performers in the world in respecting press freedom as well.

The regime actively stifles all civic activity, the free flow of information on the island, and through detentions, surveillance, infiltration, and ongoing, multifaceted intimidation efforts have systematically undermined those number of courageous individuals and groups who continue, despite that intimidation, to try to press for improvements in fundamental human rights in that country.

And, finally, Egypt, which has seen periodic political openings through the last several decades, usually follows the pattern of opening then followed by reversals, as those in power feel threatened by new actors and forces that have emerged to challenge their authority.

Late 2005 saw the country's most democratic and transparent, one argues, Presidential elections in the last half century, but, since then, the government has reverted to suppressing all political opposition. Journalists, though they increasingly cross the red lines that previously constrained the media, still are intimidated and are subject to repressive laws, leading Egypt to continue to be ranked 134th out of 195 countries around the world on press freedom.

Now, to address the challenge of integrating human rights and democracy in U.S. foreign policy. Through successive administrations of both parties, the U.S. Government has, as we know, a mixed record in its efforts to make human rights and the promotion of political systems that best guarantee those rights a policy and consistent policy priority. Economic and security interests often have trumped the promotion of human rights in various countries and at various times around the world.

This is as true under the current administration, which has placed the promotion of democracy as one of its chief foreign policy

objectives, as it has for past administrations. There are clearly quite different U.S. policy approaches at work in the three countries we are discussing today. Thus, the Bush administration continues the decades-long embargo on the Cuban regime and recognizes Fidel Castro for the dictator he surely is.

But our President recently extended a welcome to President Aliyev of Azerbaijan befitting that of a genuinely elected democratic leader, and the U.S. Government has, in fact, cut back the amount recently, as well as any political cover for that, for aid for democracy and civic activists within the country.

Within Egypt, there has been fluctuation in the administration's approach over the last 7 years. While the administration took some bold and historically unprecedented steps to encourage the Mubarak regime to move toward greater openness and democracy in the 2003-to-2005 period, now the administration seems to have reversed course, leaving Egyptian reformers disappointed and disillusioned.

Of course, some positive efforts within the U.S. Government continue, but many within the administration working on human rights believe that pushing the envelope to promote further political reform within Egypt will no longer receive high-level backing from within the United States administration.

How do we go forward? Can the U.S. Government actually better advance democracy and human rights?

First, it is important to keep in mind the ability of the U.S. Government or, for that matter, any other outside actor, including non-governmental organizations, to influence the course of events abroad. It is necessarily limited. The fate of most countries lies in the hands of those on the front lines, but we do think the U.S. Government and outsiders can make a difference, and the effectiveness of those efforts and how much difference we can make directly depends on how well we are listening to and responding to the voices of democrats and human rights advocates in these countries.

While recognizing the need for improvements in many aspects of U.S. policy, the President's second inaugural address remains historical in its fulsome embrace of freedom as a priority in U.S. foreign policy, and the Bush administration should be given credit for a number of important initiatives that have been undertaken to implement the goals outlined by the President. But as the chairman mentioned, much more needs to be done.

First, and I would just reiterate that the U.S. Government needs to set the highest standard in its own conduct and that the continuation of fuzziness and game playing related to detention and interrogation techniques has been extremely problematic and undermine the effectiveness of our efforts and other efforts of the democracy-and-human-rights community to try to promote the end of such practices by other governments.

We also need to make sure the U.S. Government remains focused on the need to protect those that are actually on the front lines of these societies and provide them sufficient resources in a manner that does not endanger them. While resources alone do not constitute a policy, we have expressed our concern about the bewildering details of some aspects of the latest request for foreign assistance and hope that Congress, in its wisdom, will look at the al-

location of democracy and human resources in a number of countries.

Members of Congress and their staff should, like U.S. diplomats, make an explicit effort to not only talk with government representatives but also travel to countries and meet with courageous civil society activists in human rights and political parties when they go abroad.

We do recognize the U.S. will never be able to adopt uniform approaches, nor should it. Each country will require a specific, tailored strategy based on detailed assessments of what is happening in the country and the leverage the U.S. has. However, in our dealings with foreign governments and with their citizens, we should never, never allow the core values of human rights and democracy to simply fall off the table. Human rights activists have come to rely on our commitment to their cause, though they may not be able to always say it publicly. Thank you.

[The prepared statement of Ms. Windsor follows:]

Ideals vs. Reality – Human Rights and US Foreign Policy:  
The Cases of Azerbaijan, Cuba, and Egypt

Testimony Prepared for Delivery

Subcommittee on International Organizations, Human Rights and Oversight  
U.S. House Foreign Affairs Committee

Jennifer Windsor, Executive Director  
Freedom House, Washington, D.C.

July 12, 2007

Chairman Delahunt, Congressman Rohrabacher, members of the Committee and staff, thank you for calling this important hearing today and for inviting Freedom House to testify.

You have posed a vital question in the title for today's hearing: How can the United States reconcile its democratic ideals – ideals whose continued pursuit constitutes the essence of our national identity – with the enduring need to secure our nation and defend our interests given the reality that we live in a complex and dangerous world?

As today's hearing reconfirms, it has long been the role of the Congress to convene the national dialogue on how we do this, and I congratulate the Chairman for his initiative. Before turning to the specific human rights situations in the three countries you are focused on today, I would offer a few general thoughts on the subject.

### **1. Knowing Reality on the Ground is Key**

Any assessment of effectiveness of U.S. policy needs to be grounded in an accurate assessment of the state of human rights and freedom within a country. That assessment needs to look both at the treatment of individuals, and the laws and practices that undergird fundamental human rights, but also include an analysis of how the political system and regime actually operates. I presume this is why you invited Freedom House to participate today, as we have been producing reports on the state of political rights and civil liberties on every country around the world for more than 35 years.

I will endeavor through this testimony to provide some essential facts related to each of the countries under discussion today, though a nuanced comprehensive analysis is not possible to provide in this format. One general point I would make is that each of these three countries – Egypt, Cuba and Azerbaijan – is hampered by a political system that does not respect fundamental political and civil rights. All three countries are currently described by Freedom House as “Not Free” in our annual survey of political rights and civil liberties, *Freedom in the World*. On a scale of 1 to 7, with 1 being best and 7 being worst, Azerbaijan and Egypt both receive a low score of 6 for political rights and a 5 for civil liberties. Cuba receives the worst possible rating of 7 in both categories.

Underneath the numerical ratings and captured in the narratives of ours and other organization's reports, lie differing realities. How the different regimes operate, and attempt to control their own populations, are quite diverse. Egypt – a quintessential example of a corporatist bureaucratic authoritarian system – is situated in a combustible region characterized by political stagnation for the last four decades. Cuba, an island country a stone's throw from the U.S. shoreline is beset by a system based on Communist ideology and historically dominated by one individual leader, Fidel Castro. Finally, Azerbaijan, a former Soviet republic, is a hydrocarbon-dependent quasi-dynasty bordering Russia, Iran and a mortal enemy, Armenia. Yet each of these governments arrests journalists for practicing their profession, stifles meaningful political competition, shows a blatant disregard for internationally recognized human rights, and seeks to isolate its people from the global dialogue on freedom.

Experts and policymakers often fail at predicting the future. So some humility in undertaking assessments – which will always be built on incomplete knowledge – should always be employed. At Freedom House we try to keep that in mind, and our hope is that our reports may serve as a basis for dialogue and debate, most especially among citizens within a country, a portion of whom will undoubtedly agree or disagree with our findings at any particular point in time.

## **2. Can Americans Be Humble about Our Own Importance?**

Second, discussion about what any external actor – even a superpower like the U.S. – can do to change the course of human history within societies should be imbued with an appropriate degree of modesty. The fate of freedom and democracy, and the state of human rights in other countries, has always primarily been determined by those within these societies. The ability of the U.S. government -- or for that matter any non-governmental organization -- to influence the course of events abroad is therefore necessarily limited. We are usually the supporting actors in dramas that are being played out by others. How well we play our roles, of course, occasionally matters a lot, and depends very often on how well we are listening and responding to the voices of democrats and human rights advocates in those countries.

That being said, Freedom House was founded on the premise that the U.S. government – and increasingly, other democratic governments – can make a difference. Indeed, a bipartisan consensus has emerged over the past generation confirming that it is an American national interest to project a predilection for human rights and democracy, a preference for countries and governments that respect the same universal principles that are important to us as a Nation – and that we can do so without grievous damage to our other interests. Finding the right way forward and the appropriate balance in our relations with other countries has been a challenge for successive U.S. Administrations, especially over the last twenty years. While we are strong advocates, we recognize that the complexities of foreign policy, especially for the world's lone superpower, require that we sometimes deal with unsavory regimes with bad human rights records. But in dealing with these countries on security, trade or other important interests, Freedom House believes that the U.S. should never retreat from its role as a defender of human rights, and whose support struggling democratic activists around the globe have looked to for decades. We acknowledge that while the adherence to democratic principles and the respect for human rights cannot always be the sole foreign policy principle for the U.S. in its bilateral relations with any given country, they can and should always be a key element of U.S. relations with all countries.

## **3. The Challenge of Integrating Human Rights and Democracy into U.S. Foreign Policy**

Through successive administrations of both parties, the U.S. government has, as we all know, a mixed record in its efforts to make human rights and the promotion of political systems that best guarantee those rights a policy priority. Economic and security interests often have trumped the promotion of human rights in various countries. This is as true under the current administration, which has placed the promotion of democracy as one of its chief foreign policy objectives, as it has been for past administrations.

Thus, while the Bush administration continues the decades-long embargo on the Cuban regime and recognizes Fidel Castro for the dictator he surely is, our President recently extended a welcome to President Aliyev of Azerbaijan befitting that of a genuinely democratic leader.

While the Administration initially encouraged and even challenged the Mubarak regime to move towards greater openness and democracy, exemplified by Secretary Rice's speech at the American University in Cairo June 2005, the Administration's position has since reversed course, leaving Egyptian reformers disappointed and disillusioned and leaving the only serious political opponent to Mubarak in prison and in rapidly declining health.

Looking back over the last quarter century, we can all find fault with each Administration's consistency of approach in this area. The Administration of President Carter was at the vanguard of efforts to enshrine the integration of human rights in U.S. foreign policy, but failed to apply that policy to entire regions, including Africa. The Administration of President Reagan is rightly praised for the establishment of the National Endowment for Democracy and other important initiatives to support democratic movements around the world, but the U.S. largely turned a blind eye to the operation of death squads and ongoing human rights abuses in many parts of Latin America during his tenure. President George H.W. Bush launched critical programs to advance the democratic transformation of Central and Eastern Europe and the former Soviet Union, but the promotion of democracy and human rights was largely isolated from the broader system of decision making related to U.S. foreign policy and foreign assistance in most parts of the world. Finally, President Clinton embraced the goal of "democratic enlargement" as part of a U.S. National Security Strategy and embedded democracy and human rights in U.S. foreign assistance, but also implemented a policy of maintaining the political status quo in the Middle East and reversed course on promoting human rights in China.

The current Bush Administration should be applauded for its embrace of the promotion of democracy and human rights. Ironically, the very fact that this Administration has so vigorously and so publicly embraced freedom as a fundamental goal, has meant that the many inconsistencies and deficiencies in U.S. government policies and actions to implement that commitment have damaged the legitimacy of the U.S. as a defender of human rights and a symbol of individual freedom in many parts of the world.

With that brief overview, I will now present summary of the current human rights situation in each country, with a special focus on press freedom, which we believe is an important indicator of the overall commitment towards freedom within a country. This will be followed by an assessment of U.S. policies towards each country. Finally, I will outline a set of recommendations for how the U.S. should further the improvement of basic human rights, while maintaining strategic partnerships on issues of common agreement.



**Azerbaijan**

Freedom House Ratings <sup>1</sup>	1990	1995	2000	2006
Political Rights	n/a	6	6	6
Civil Liberties	n/a	6	5	5
Press Freedom	n/a	69, Not Free	70, Not Free	73, Not Free

**Overview of Human Rights Situation**

In the first heady years of the Soviet Union's break-up, Azerbaijan received its best scores for political rights (5 out of a worst possible 7), but has remained mired at a lowly 6 out of 7 since 1993. Civil liberties have fared just slightly better, attaining a high rating of 4 from 1997 to 2000 and then dropping to a 5 thereafter. Journalists have felt the brunt of the government's anti-democratic behavior in recent years, but political opponents have consistently also been targeted.

Azerbaijan's constitution nominally guarantees freedom of speech and the press, however the authorities use a variety of tools to limit press freedom in practice. In 2006, press freedom saw a further decline, with an increase in defamation suits against journalists. As of May 2007, Azerbaijan had imprisoned seven journalists, the highest total of any OSCE country. Those arrested include Yashar Agazade and Rovshan Kabirli, who work for an opposition newspaper that ran a story accusing President Ilham Aliyev's uncle of being the most corrupt person in the ruling elite. Both were sentenced to 30 months for "defamation." Sakit Zahidov, a satirical writer for an opposition daily was sentenced to three years in October 2006 on trumped up charges of illegal drug possession.

In addition to restrictions of press freedom, freedom of assembly is strongly curtailed by the government, especially for political parties critical of the government. Political opposition also face ongoing harassment through politically-motivated legal cases. Nongovernmental organizations particularly those deemed critical of the government, face ongoing obstacles in regards to registration and taxation. A particularly brutal crackdown on civil society and political opposition was conducted by President Aliyev in the wake of the fraudulent 2003 presidential elections that brought him to power. More recently, in the wake of civic movements in Georgia, Ukraine and Kyrgyzstan, the Azeri government is increasingly wary of youth-led activism and has responded by expelling students from universities, arresting youth leaders, and dispersing student protests and rallies.

The executive branch still dominates all political decisions in the country. The country's judicial system is subservient to the executive. Arbitrary arrest and detention remain serious problems, particularly for members of political opposition, and police abuse is pervasive during arrest and interrogation.

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<sup>1</sup> The total number of points awarded to the political rights and civil liberties checklists determines the political rights and civil liberties ratings. Countries are rated 1 through 7, with 1 representing the highest and 7 the lowest level of freedom. Regarding Press Freedom, countries are given a total score from 0 (best) to 100 (worst) on the basis of a set of 23 methodology questions.

### U.S. Policy

As an oil-rich secular Muslim-majority country located in the strategically important transcaucasus region, Azerbaijan presents a unique and complex foreign policy challenge for the U.S. While its commitment to democratization and its respect for human rights are weak, Azerbaijan has become increasingly important to the U.S. in security terms, particularly since 9/11. Situated along a key pathway to South-Central Asia to the east, Russia to the north, and Iran to the south, Azerbaijan provided needed air space and support for the U.S. military effort in Afghanistan.

As such, the U.S. policy towards Azerbaijan has shifted dramatically over the past decade and particularly since 9/11. The U.S. imposed foreign assistance conditions on Azerbaijan in 1992 that restricted most direct government-to-government assistance, including the training of judges, members of parliament, and other government officials. The sanctions that were imposed under section 907 of the FREEDOM Support Act implied that Azerbaijan was the primary aggressor in the conflict with Armenia over Nagorno Karabakh and were to remain in force until Azerbaijan demonstrated "steps to cease all blockades and other offensive uses of forces against Armenia." After 9/11, in January 2002 President Bush signed an annually renewable waiver of the sanctions and began increasing Azerbaijan's foreign assistance.

The new, warmer relationship with Azerbaijan reached a pinnacle when President Bush welcomed President Aliyev to the White House in April 2006, where the two men addressed energy and security issues. Azerbaijan's sorry record on democracy and human rights, which are well documented in the State Department's annual human rights reports, were reportedly not discussed. The U.S. embassy actively solicited Azeri government input and control over U.S. assistance programs for civil society, undercutting the effectiveness of any U.S. democracy assistance programs, and sending a clear message to other U.S. NGOs operating in that country that the U.S. would not shield them from the increasing pressure and constraints imposed on their activities by the Aliyev regime.

### Cuba

Freedom House Ratings	1990	1995	2000	2006
Political Rights	7	7	7	7
Civil Liberties	7	7	7	7
Press Freedom	Not Free	90, Not Free	94, Not Free	96, Not Free

### Overview of Human Rights Situation

Cuba is one of the most repressive regimes in the world. While human rights activists on the island and outside experts hope and plan for a political opening as Fidel Castro's health deteriorates, the overall outlook for the country remains far from certain. To date, there is no indication that Raul Castro will move towards a representative form of government. Despite their difficulties in recent years, the internal opposition are preparing for a post-Fidel environment when there will likely be a window of opportunity to strengthen their outreach to

and support from the general population. At this precarious time in Cuba's history, these activists need and deserve the support of the international community more than ever.

Freedom of the press remains tightly curtailed, and the media in Cuba remain controlled by the state and the Communist Party. The independent press is considered illegal and is the object of a targeted campaign of intimidation by the government, which uses Ministry of Interior agents to infiltrate and report on this critical but largely isolated element of Cuban society. Independent journalists, particularly those associated with a dozen small news agencies established outside state control, have been subjected to continued repression, including jail terms of hard labor and assaults by state security agents. As an illustration of how far Cubans will go to access independent information, one brave independent journalist, Guillermo Fariñas, went on a seven-month hunger strike last year demanding Internet access, which is heavily restricted and monitored within Cuba.

The pro-democracy movement within the country was set back by the March 2003 crackdown by the government which led to the imprisonment of 75 individuals, including 27 independent journalists and 14 independent librarians. Today there are positive indications that pro-democracy forces have regrouped and their efforts have begun to gain traction. For example, the Varela Project, a pro-democracy initiative led by dissident Oswaldo Payá, has collected over 25,000 signatures of support for constitutional reforms. In April of this year, the key leaders of the internal opposition joined together for the first time in years in a declaration of unity. As a constructive result of this process, Mr. Payá has launched a "Cuba Forum" to engage more Cubans in discussions on the reform process. Democratic change is not likely to come to Cuba tomorrow, but there are encouraging signs of civic activism and cooperation among individuals and groups.

I want to recognize in particular the important work of the Damas de Blanco, or Ladies in White, who work tirelessly on behalf of their imprisoned relatives, 59 of whom have been serving sentences since the 2003 crackdown. These women have demonstrated for their fellow Cuban citizens that fear can be conquered and demanding one's rights is not only just and legitimate, but possible. They have courageously marched every single Sunday since mid-2003 and in 2005 were awarded the European Union's Sakharov Prize for their bravery. Oswaldo Payá was honored with the same award in 2003.

#### U.S. Policy

For decades, each successive U.S. administration has rightly spoken out against the restrictions on political rights and civil liberties in Cuba. The Bush Administration has continued policies of open criticism towards the Castro regime and has expanded U.S. programs -- initiated during the Clinton Administration -- to support activists working on democratic peaceful change within the country.

The effectiveness of U.S. policy towards Cuba -- a strategy based on isolating the regime to increase internal pressure on the government to change its repressive tactics, and to provide support for the free flow of information and assistance to those within the country who are working for peaceful political reform -- has long been a topic of a vigorous debate in

Washington policy circles. Such debates will surely continue, but Freedom House urges that the U.S. continue to do what it can to support the efforts of those within the country who are taking enormous risks to secure fundamental human rights for their fellow citizens.

While this hearing focuses on U.S. policy, I would like to express our disappointment with the clear distancing of important European actors – and many governments in Latin America – from the democracy community within Cuba. It reinforces the point that double-standards and inconsistency are not uniquely American traits.

### Egypt

Freedom House Ratings	1990	1995	2000	2006
Political Rights	5	6	6	6
Civil Liberties	4	6	5	5
Press Freedom	Partly Free	81, Not Free	69, Not Free	61, Not Free

### Overview of Human Rights Situation

In Egypt, Hosni Mubarak has ruled under a military state of emergency since 1981. During this period, Egypt has received tremendous infusions of foreign assistance, particularly from the United States, but has made no substantial progress in terms of respect for political rights and civil liberties. Despite intimations toward democratic reform in recent years, leading to the country's most democratic and transparent presidential and legislative elections in more than half a century, the government quickly reverted to suppressing all political opposition when the threat of real political competition became visible.

While improvements were noted in earlier years, in 2007, the broader human rights outlook has deteriorated. Most government repression has been directed against the Muslim Brotherhood, although smaller secular and liberal parties have arguably suffered more as a result. In March 2007, Egypt's ruling National Democratic Party passed 34 constitutional amendments which sought to limit the power of the Muslim Brotherhood, and strengthen anti-terrorism measures which gave the president the power to refer any suspect to exceptional (usually military) courts. Under these legal changes, protections against arbitrary arrest, search and violation of privacy are no longer observed. The most visible case of repression is the case of former presidential candidate and democracy activist Ayman Nour.

When Nour was arrested in January 2005, U.S. Secretary of State Condoleezza Rice canceled a trip to Egypt in protest, eventually resulting in Nour's release, allowing him to run in the September 2005 presidential elections. Nour finished a distant second to President Mubarak, but was soon sentenced to five years in jail on trumped up charges of forging affidavits needed to register his Ghad party. Today, he is suffering – some say dying – in prison.

Yet repression is by no means limited to the political opposition. Freedoms of assembly and association are heavily restricted. Organizers of public demonstrations, rallies, and protests must receive advance approval from the Interior Ministry, which is rarely granted. The Emergency

Law allows for the arrest of those who commit innocuous acts such as insulting the president, blocking traffic, or distributing leaflets and posters, and security forces beat and detained political activists who were demonstrating against the law's extension last spring. In May 2006 alone, the government arrested hundreds of peaceful political protesters on charges of "intent to assault property and people, obstructing the authorities work, endangering public transport, disseminating propaganda, and insulting the head of state and public employees," according to court documents. When political rights activists turned out in large numbers to support four senior judges suspended for their calls for judicial independence, state security services arrested over 225 people.

Freedom House is joined with other non-governmental efforts around the world to express our deep concern over the recent escalation of the Egyptian official media and political party campaign against Dr. Saadeddine Ibrahim, and especially the effort by some members of the ruling party in Egypt to raise false charges against him for which he has previously been exonerated. Dr. Ibrahim has courageously spoken out against limitations on human rights and democracy in Egypt, and has not been afraid to criticize shortcomings of the U.S. government policy in recent years.

Finally, while journalists increasingly cross the "red lines" that previously constrain the media, press freedom in Egypt continues to suffer from repressive laws and extralegal intimidation of journalists, including violence and harassment.

#### U.S. Policy

At the American University in Cairo in June 2005, Secretary Rice spoke on democratic reform in the region. "The day is coming when the promise of a free and democratic world, once thought impossible, will also seem inevitable. The people of Egypt should be at the forefront of this great journey... So together, let us choose liberty and democracy." Two years later in May 2007, the Secretary commented on her remarks in Egypt. "The Cairo speech to me was perhaps the most important speech I have ever given. And to me it says what America stands for and what this Administration stands for and we're not going to back off that."

The Bush Administration should be credited for its efforts during the 2003-2005 period to promote democratic reform in Egypt – through diplomatic entreaties and concrete support for those working for peaceful reform within the country. The Egyptian regime responded with a package of modest reforms and both Egypt's political opposition and democracy advocates within civil society were emboldened. Unfortunately, in need of allies in the region and wary of potential electoral advances by the Muslim Brotherhood, the U.S. Administration has retreated from its forward leaning policy in the last year, giving the Mubarak regime an opening to renew its repressive policies throughout the country and solidify control during the critical period of succession. Of course some positive efforts by the U.S. government continue, but many within the Administration working on human rights and democracy believe that "pushing the envelope" to promote political reform within Egypt will no longer receive high level U.S. government backing.

### **Conclusion: How Can the U.S. Better Advance Democracy and Human Rights?**

Freedom House believes that the U.S. government should continue – and indeed increase – its support civil society and human rights activists around the world through diplomatic interactions, funding allocations, and leveraging other aspects of our relationships to promote political reform. While recognizing the need for improvements in many aspects, the President's second inaugural address remains historic in its fulsome embrace of freedom as a priority in U.S. foreign policy and the Bush Administration should be given credit for the important initiatives they have undertaken to implement that goals outlined by the President.

That policy commitment needs to be reflected in action – including the allocation of sufficient resources for those on the frontline. It is for that reason that Freedom House has expressed its concern about the President's FY08 foreign operations budget request to Congress in which the global budget for human rights activities declined 9 percent and support to civil society declined by 7 percent. At a time of heightened global pushback against democracy promoters and human rights defenders, this represents a dismaying turn away from those who need help the most and who are our natural allies in the global struggle for freedom. Freedom House was pleased to see that several proposed cuts to country budgets have been restored in the House and Senate appropriation committees and we hope that these restorations will also be reflected in the individual line items for democracy and human rights.

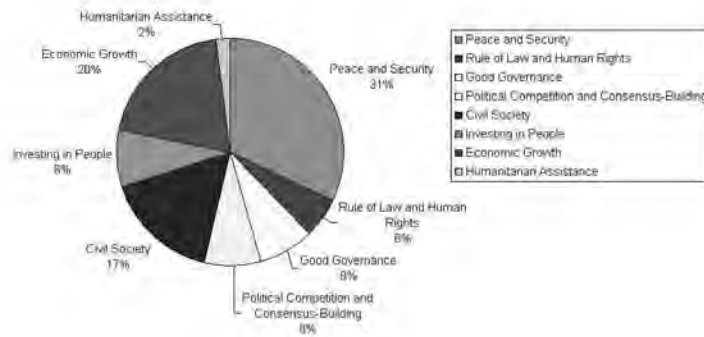
Of course, the U.S. government has a deeper role to play in helping to promote democracy and human rights. U.S. diplomats should regularly meet with opposition activists and human rights activists. They should engage with human rights defenders and not be reluctant to call upon certain governments to improve their human rights practices and democratic progress. I believe that American diplomats are capable of conducting business with unsavory regimes while still advocating for human rights.

In addition to holding the purse strings and overseeing the executive branch, members of Congress and their staffs should also play an active role in supporting human rights and democracy activists abroad. Hearings like this are important. Frequent travel to these countries and meeting with courageous civil society, human rights and political party activists struggling to bring about positive change is a critical signal of U.S. support.

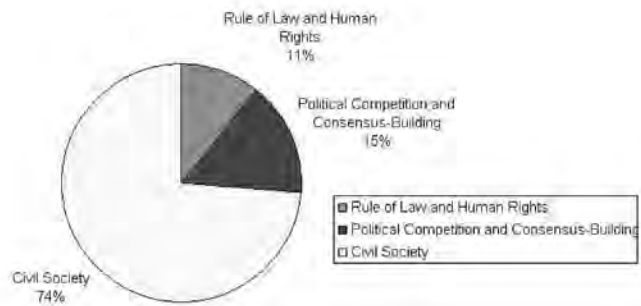
In its relations with other countries, the U.S. must at times have the courage of inconsistency. We will never be able to adopt uniform approaches to human rights with regard to every country around the world, nor should we. Each country requires a specific tailored strategy based on a detailed assessment of the realities and dynamics within a particular society, and the leverage that the U.S. government can use to bring about change. However, in our dealings with foreign governments and their citizens, we should never allow our core values of human rights and democracy to fall off the table. Human rights activists have come to rely on our commitment to their cause, though they may not be able to always say it publicly. Instead of ignoring this commitment because it may be too difficult, we should renew our efforts and consider new and innovative ways to help those that need it most. I again thank the subcommittee for asking me to testify at this hearing and look forward to your questions.

**Addendum: Bush Administration's FY2008 Requested Funds for  
Azerbaijan, Cuba and Egypt**

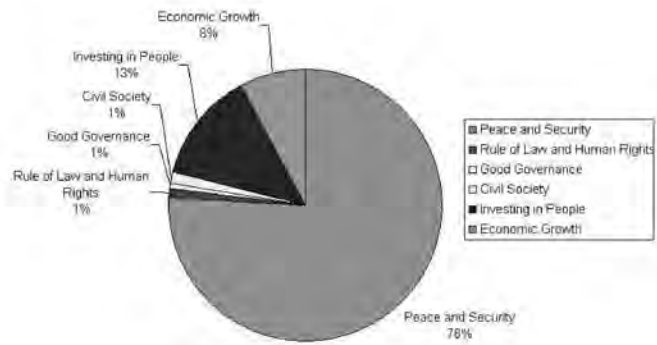
**Administration's FY2008 Request for Azerbaijan  
\$25,380,000**



**Administration's FY2008 Request for Cuba  
\$45,700**



**Administration's FY2008 Request for Egypt**  
**\$1,720,870,000**





Mr. DELAHUNT. Thank you, Ms. Windsor.  
Dr. Halperin?

**STATEMENT OF MORTON H. HALPERIN, PH.D., SENIOR  
FELLOW, CENTER FOR AMERICAN PROGRESS**

Mr. HALPERIN. Thank you, Mr. Chairman. It is a great pleasure for me to appear before this committee on this important subject of how the United States can help to promote human rights and democracy around the world.

I thought that I could most usefully contribute by making some general comments about that, rather than trying to deal with the specific countries. Your first witness has done that ably, and I am happy to associate myself with those comments as well.

I do not think that we get very far in talking about ideals versus reality. That assumes that if we implement our ideals, we can do so in a way that ignores reality, and it assumes that if we are realists and focus on reality, we abandon our commitment to ideals. I think, in my view, that is simply a misunderstanding of the nature of the world.

I think, in a democracy, we have a process for determining what the United States should do, and those interests are, in fact, the interests of the United States. The interests of the United States do not derive from some academic exercise, and I think the American people care as much about preventing genocide as they care about the price of oil.

So I think it is just wrong and does not enlighten our approach to say one is an ideal, and the other is an interest. They are both the interests of the American people, and they both should be pursued by the American Government.

It is also the case that, in the United States, we have many people who have particular attachments of one kind or another to other countries and express those by advocating particular policies. You had some statements put in the record which reflect that view, and I would ask, by the way, that my full statement be made a part of the record.

Mr. DELAHUNT. Without objection, so ordered.

Mr. HALPERIN. Some people criticize that, again, on the grounds that that somehow prevents the United States from implementing its true national interests. Again, my view is that the national interests can only emerge from the political process in the country, and a legitimate part of that political process is passion, people who care strongly about an issue, whether it is Cuba, or Israel, or Egypt, or Azerbaijan, or Armenia, have a right to express those views and to have them influence the political process. I think that is part of the process and not something that is inappropriate.

This means that we cannot approach every country in the same way and will not approach every country in the same way. But it does not mean that we should not always have concern for human rights and democracy as a significant objective of the United States in every country that we deal with, even when we have other interests. We need to press those governments to honor their international obligations to protect the human rights of their own people.

As has already been indicated, the three countries under review are all countries in which the United States has multiple interests, but they are also countries in which there are very serious human rights violations, and we can debate which is more serious.

My own view is that it seems clear that the human rights situation in Cuba is, in many significant ways, far worse than in the other two countries, but, on the other hand, the United States has much more influence and the ability to influence policy in the other two countries, and I think that means we ought to speak out against all of them, but we ought to use our influence where we can.

I want very much to endorse the statement by the ranking member that we must always tell the truth, that that ought to be the first aspect of our policy, and I would add to that that we should not do much. I think that the President of the United States has enough to do without having lunch with dictators.

There are dictators that we have to deal with, and there are reasons why we have to deal with them, but when we engage in something which suggests their legitimacy, and we do it without mentioning their human rights violations, then I think we are not true to our own ideals, and we are not true to the commitment that we had and that the President expressed in his second inaugural address, that we will always stand with people who are working for freedom.

When we honor dictators and do not deal with the opposition in those countries, we undercut, I think, our ideals, and I think it is unnecessary. We need always to remember that we may have important interests in these countries, but their interest in us is greater than our interest in them, and that means they will deal with us without our pretending that they do not have serious human rights violations.

Now, as has already been suggested, my view is that a critical question we need always to ask, in dealing with a country, is, what do the human rights activists in that country want? Now, it has been suggested that they may not always be able to tell us clearly. They may be under pressure to say one thing and believe another, but I believe we can, in fact, often determine what it is that they want.

It is my understanding that human rights activists in all three countries that you are focusing on today want the United States to speak out in favor of human rights in those countries and that, at least, in Egypt and Azerbaijan, they welcome American assistance for their struggle to protect their human rights and to establish democracy in those countries. In my view, we ought to be responsive to those requests.

In other countries, such as Iran, there may be human rights advocates—I think there are—who do not want American aid and who think that American support, and even American rhetorical support, undercuts their position. We should honor those requests. There may be others in those countries that do want our assistance, and if they want it, we should find a way to give it to them.

On other questions about how we deal with those countries, we ought to, as well, listen to human rights advocates. In my dealings with Cuba, my view is that most, if not all, of the people struggling

for human rights in that country believe that the American economic embargo does not advance their cause and simply provides a rationale for further repression within that country, and I think we ought to listen to those voices as the Congress decides what to do about the economic embargo.

I think where there is American military or economic assistance to a country, it ought to reflect our commitment to human rights as well. It is American policy that we will not provide any assistance to a country where there is a gross and persistent denigration of human rights.

I do not think any President has ever found that to exist in any country, which may suggest more about our Presidents than it does about the world. But even if we do not cut off all of the assistance, I think we ought to take account of the human rights record of a country in deciding how much assistance to give, and it is extraordinary to me that Egypt continues to be the second-largest recipient of American aid, given its persistent record of human rights violations.

I think we also need to find ways to affirmatively encourage states to prove their human rights record, and here, I think, the Bush administration has initiated an important program, which the Congress has supported, although not as much as I hope it will, and that is the Millennium Challenge program, which sends out a signal to countries, and I think Azerbaijan is one, to say, if you improve your human rights record, if you have a sound economic policy, and if you show yourself concerned about basic human economic rights in your country, then you may be eligible for a substantial form of economic assistance. I think that is a beacon that we ought to hold out.

Finally, I think that we ought to find ways to work multilaterally, and particularly through the United Nations, to advance human rights. If you talk to human rights activists around the world, they will tell you how important they feel the Human Rights Council is and its special rapporteurs.

The United States, by failing itself to observe internationally recognized human rights, by failing to invite those rapporteurs to the United States and to Guantanamo, and to give them the access that they expect to have, undercuts its credibility in pressing for those rapporteurs to go to Cuba, and to go to Azerbaijan, and to other countries.

Certainly, the record of the Human Rights Council is not one that any of us can be happy about in its first year, but it is far too soon to give up. It is far too soon to walk away from that council, and I am confident that if we can talk to human rights activists from Cuba, Egypt, and Azerbaijan, as well as from many other countries, they would share that view.

Mr. Chairman, I appreciate very much the opportunity to testify, and I look forward to your questions.

[The prepared statement of Mr. Halperin follows:]

PREPARED STATEMENT OF MORTON H. HALPERIN, PH.D., SENIOR FELLOW, CENTER  
FOR AMERICAN PROGRESS

Mr. Chairman,

I appreciate the opportunity to testify before this distinguished subcommittee on Ideals vs. Reality in Human Rights and U.S. Foreign Policy.

You have indicated that you want to use U.S. policy toward Azerbaijan, Cuba, and Egypt to help to illuminate this question. Because I am very far from being an expert on any one of these countries and because I have thought and written for some time about the broader issues, I thought that I could be of most assistance to the subcommittee by discussing the general question of ideals and reality in human rights policy and what I think is an appropriate approach to advancing human rights. I trust that your other witnesses will discuss the specific situations in the three countries. I will refer to them in my comments and would, of course, be prepared to respond to additional questions.

I believe that the formulation of “ideals v. reality” does not really illuminate the problem of addressing issues such as using U.S. foreign policy to advance human rights. No American “ideals” can be fully implemented in our foreign policy. Whether it is promoting human rights or democracy or the prevention of genocide—all of which embody conflicts between different foreign policy objectives that are labeled “ideals”—there are limits to the American ability to influence events abroad. Moreover, I think it is a fundamental misunderstanding of the world to contrast a foreign policy of “idealism” with one of “realism.” This approach assumes that there are “real” interests of a nation that can be derived from some straightforward analysis and that this is in contrast to “ideals” which are just objectives that we may care about but which are not our “real” interests. In a democracy the “real” interests of a nation can be determined only by the political process. Preventing genocide is no less a “real” interest than is keeping the price of oil low or reducing the risk of a military attack.

The American people, through our constitutional processes, must decide what objectives are important to us in general and in relation to any specific country. As we deal with individual nations we will often find that Americans who have a special attachment to one particular country or another will be especially vocal when it comes to policy towards that country. In my view, that is as it should be. The intensity of concern as well as the positions taken can, and do, affect U.S. foreign policy.

Because of this difference, and because our ability to influence events varies from country to country, it is inevitable that some will see a double standard in U.S. foreign policy. The United States cannot, and should not, approach each country in the world in the same way. While it may not be possible to place the highest priority on promoting human rights in one country, that does not mean that we should not give the advancement of human rights the highest priority in U.S. policy towards other countries where we have a greater ability to do so.

Even when we have other critical interests in our relations with a particular country, we can and should press that government to honor its international obligations to respect the human rights of its people. The three countries under consideration today are all countries in which the United States has multiple interests that we must take into account when determining U.S. policy, but they are also places with substantial human rights violations which we should seek to end.

If we cannot have a single standard for deciding what priority to give to human rights in U.S. foreign policy, we also cannot have a “one size fits all” approach to advancing human rights in all countries. For example, one critical question is whether the U.S. government should speak out forcefully in defense of human rights activists and provide financial assistance to domestic actors struggling to defend human rights. In my view, in deciding the answer to that question (and many others) we should look first to the views of the local activists.

It is my understanding that human rights activists in all three countries of particular concern today welcome, and indeed encourage, the United States government and private Americans to speak out in their defense, and those at least in Egypt and Azerbaijan also welcome financial assistance from the American government. We should be responsive to those requests. In other countries, such as Iran, human rights activists have made it clear that American support of any kind is counter-productive. We should honor those requests as well.

On other issues as well we should listen carefully to the views of those struggling in each country to advance human rights. For example, as Congress debates the future of economic sanctions against Cuba I urge you to bear in mind that most Cuban dissidents have told us that the sanctions help the Cuban regime to justify repressive measures.

American military and economic assistance to other nations should also reflect our commitment to human rights. Where there are gross and persistent violations of human rights, we should honor the law and our values by denying any assistance. In those countries where there are lesser violations, we should use the leverage that our aid affords by pressing governments for greater respect for human rights. Egypt,

as the second largest recipient of U.S. economic assistance, is a prime example of this imperative.

We should also use affirmative incentives to encourage states to improve their human rights records. The Millennium Challenge program is the best and most effective example of such an effort. Congress should consider amending the MCA to make clear that a state must be a democracy that respects human rights in order to be eligible for a compact. It is not inconceivable that Azerbaijan would improve its governance capability and human rights protections sufficiently over time to be considered for such a compact and we should be sure that the people of that country understand that.

The United States should also actively work with the United Nations and especially the Human Rights Council to help to advance human rights and to protect human rights activists. Here, as elsewhere, we need to recognize that by failing to observe internationally recognized human rights ourselves we reduce American credibility to champion human rights for others. I understand that many in the Congress and elsewhere are troubled by the first year of operations of the new Council. I share those concerns. However, it is far too soon to give up on the Council or to cut its funding. I am confident that human rights activists in Cuba, Egypt and Azerbaijan share this view.

Mr. Chairman, I am grateful for the opportunity to testify at this hearing and look forward to responding to questions.

Mr. DELAHUNT. Thank you, Dr. Halperin.  
Mr. Calzón?

**STATEMENT OF MR. FRANK CALZÓN, EXECUTIVE DIRECTOR,  
THE CENTER FOR A FREE CUBA**

Mr. CALZÓN. Thank you, Chairman Delahunt, for inviting me. I am delighted to be here, and I am sorry Mr. Flake had to step out for a minute. I hope he will be back. I am always glad to see all of you. I have dealt with and talked to all of you often about Cuba, and I am delighted that Mr. Flake is back.

I am a Cuban refugee who has spent most of my life advocating human rights for Cubans and others. From 1986 through 1997, I worked at Freedom House. I have testified before the U.N. Commission for Human Rights in Geneva. For the last 10 years, I have been the executive director of the Center for a Free Cuba.

In accordance to the letter that I got, I included the following information in my testimony. During the current fiscal year, the Center for a Free Cuba has received from USAID \$1,081,164 and from the National Endowment for Democracy \$21,472.84. We also raise about a quarter of a million dollars a year from the Cuban-American community.

The center is one of seven, out of a total of 10, USAID grantees, which, according to the Government Accountability Office that the chairman mentioned, and I quote here, "appear to have established system procedures for documenting, tracking, and reporting on the use of grant funds." I am very proud of the work that we have done with the money provided to us by the money from the American taxpayer provided to us by the United States Agency for International Development.

I think Dr. Halperin mentioned the need to listen to the folks inside Cuba. I would be glad to quote again the Government Accountability Office report that says:

"Dissidents interviewed in Cuba [by the GAO] said that they appreciated the range and types of U.S. democracy assistance; that this assistance was useful in their work, and that this aid

demonstrated the U.S. Government's commitment to democracy in Cuba."

I listened carefully to the chairman. I hope I did not hear something other than what he said, but I believe Mr. Delahunt said that the Government Accountability Office had indicated that they did not know how much of that money is used for what purpose.

I had not asked the committee to include it in the report, but I would like to, at this point, since this issue has come up, to ask for two things: For my testimony to be included in full, since I am not reading the whole thing, and to also include a brief analysis of a Government Accountability Office Cuba Report. Since we are in the United States, no government office can be——

Mr. DELAHUNT. Without objection.

Mr. CALZÓN. Thank you very much. Let me also point out that no Federal funds have been used for any costs associated with this testimony, and, as an aside, I would like to add that no fees from the Cuban Government, no travel allowances from the Cuban Government, no public relations considerations from the Cuban Government have been used in my testimony. I think it is important, when the committee deals with terrorist nations, to ask that question.

I would not mind if you asked me, since I have talked about Cuba, do you have a relationship with the Cuban Government? Do you get any money from the Cuban Government? Do you ever go to Cuba with expenses paid by the Cuban Government?

Telling the committee whether or not you get money from the American taxpayer is fine, but I think we ought to be concerned about governments who are listed on the terrorist nations list of the Department of State.

Chairman Lantos, in his kind letter to me, said that we were going to explore whether there is a double standard, like Chairman Delahunt has mentioned. I agree with Dr. Halperin that the search for an equal policy to be applied anywhere in the world is simply a fallacy. The policy of Canada toward the United States is not the same as Canada's policy toward Indonesia or Equatorial Guinea. I do not know why we often deal with that issue about Cuba. It is just a general concept that somehow people have accepted, without challenging it.

Foreign policy is determined by numerous factors, including human rights. I am not here to defend any dictatorship. I am not here to defend the administration, since I am not with the administration. I am critical of the administration's policy of the returning Cuban men, women, and children who are picked up in the Florida Straits and returned to Cuba.

I have also, as some of you know, been somewhat critical of actions by the Congress of the United States, and this is one of the benefits of being in America, being allowed to speak up.

Those who argue for a China policy, for example, to be applied to Cuba are not—let me say it again—are not asking for consistency but for an exception because what they are asking for is an exception in the hemispheric policy of the United States; the policy in place now for many years, that says, in the Western Hemisphere, it is the policy of this government to oppose dictatorship and military rule.

So the exception to the policy in the Americas is what they are talking about. They would like to use the China model so that the next time there is a coup in Honduras, then we will say that is all right because, in China, we accept that.

Hypocrisy remains an equal opportunity malady. Why are Angola, China, Saudi Arabia, Cameroon, Qatar, Russia, Egypt, Azerbaijan, and Cuba, among the worst violators of human rights, as Ms. Windsor mentioned, members of the United Nations Human Rights Council? That is an important question that we ought to consider.

China, a member of the council, has, for many years, prevented not the vote, but the consideration of the abysmal human rights record of that regime, and recently the council eliminated the investigation of Cuba and Belarus, which had not allowed U.N. rapporteurs to visit them.

When looking at Egypt, Azerbaijan, and Cuba, one could look at several items to provide sort of a comparative analysis of the situation. Particularly, I would urge the committee to look at whether those governments provide access to foreign NGOs, to Amnesty International, and others to those countries.

Amnesty International reports that it visited Egypt in July, September, and December 2006. Amnesty International reports that they visited Azerbaijan in April and July of the same year. Amnesty International says that the Cuban Government has denied Amnesty International the opportunity to visit the island since 1988, 19 years ago.

There are differences between those three countries.

Cuba, says Human Rights Watch, remains one of a few countries in the world to deny the International Committee of the Red Cross access to its prisons. I have been critical of the U.S. administration, but I think it is a very good idea that the International Committee of the Red Cross is allowed to go into Guantanamo, the naval base, and report about what is happening in there.

I am alarmed that I do not see in the Congress of the United States, particularly folks who visit Cuba, any urgency about raising with the Cuban authorities the same issue: Will the Cuban Government allow the same International Committee of the Red Cross that goes to Guantanamo to go across the fence and visit Castro's prisoners, some of whom are Amnesty International prisoners of conscience?

Another indicator to watch for the issue of freedom and human rights is simply the number of journalists who are in prison. According to Reporters without Borders and the Committee to Protect Journalists, Cuba is second to China in the number of journalists in Castro's jails. Castro has 24. The same organizations say that Egypt has seven and that Azerbaijan has three.

That does not mean that either Egypt or Azerbaijan respect freedom of the press. They intimidate journalists. They put pressure on newspapers. They try to put pressure on the families of journalists.

In Cuba, the government does not have to do that because, since 1960, Cuba has a Stalinist model of press, of media. Every newspaper, every magazine, every radio and TV is government-owned. So that the Cuban journalists who are in prison today are inde-

pendent journalists, people who write to publish abroad or people who are willing to try to do a little publication inside Cuba.

How can the U.S. best promote human rights and democracy in these three unfree countries? I think we can probably agree that, first and foremost, by following Vaclav Havel's advice of speaking truth to power and by defending the human rights of others as if they were your own.

About Cuba, I would like to mention a couple of things that have to do with policy. I will try to speak quickly, I am probably running out of time.

One, any policy changes should be based on the understanding that the changes advance the development of Cuba's civil society. No unilateral steps should be taken that disproportionately benefit the regime. It would be counterproductive to dismantle U.S. policy piecemeal, and real reform, bolstered by legal protections, should precede changes in U.S. policy.

U.S. policy is properly tied to reform. When Havana allows the Red Cross to visit its prisons, when Havana ends the beatings of dissidents by government thugs, when the unconscionable segregation of hotels, restaurants, beaches, and clinics set aside for foreigners ends, Washington should review its restrictions. America should not subsidize apartheid in Cuba or anywhere else.

The chairman talked about a double standard. I do not know why it is usually not brought out that, during the fight against apartheid in South Africa, not many Members of Congress visited that country, and yet we often see Members of Congress and staffers go to Cuba. I think it is right for them to go to Cuba, but I do not understand why, when they get to Cuba, or before they leave Cuba, they do not make a statement calling on the Cuban Government to allow not only foreigners, but Cuban children and families to enter those hotels, those beaches, and those clinics.

Havana objects, of course, to the restrictions by the United States for one simple reason: The restrictions limit the amount of hard currency that the Castros need for repression and to nurture like-minded, anti-American regimes abroad.

I am almost done, Mr. Chairman.

Restricting family visits create hardships for some Cuban-Americans. This has been a matter of concern by some of you and a matter of concern to me. Again, restricting family visits creates hardships for some Cuban-Americans who are faced with family emergencies.

The answer is not to lift all restrictions on Cuban-Americans traveling to Cuba, but to bring such travel in line with other licensed travel to the island. Many Americans go to Cuba. They go with a license, and the United States should issue emergency humanitarian travel licenses as often as needed for those people who can show that this is an emergency, but the ban on tourism should remain.

Finally, let us also refer to Interpol the names of the Cuban officers who murdered the Brothers to the Rescue pilots in international airspace. The murderers of Americans anywhere in the world should not be given impunity, and as long as that is not done, that is what we have.



Just to conclude, let me say that, above all, let us not base U.S. policy on the disinformation generated during many years by Ana Belen Montes, the defense intelligence analyst now serving a 25-year sentence for spying for Castro. Let the United States declassify information not only about what the U.S. attempted to do to Castro more than 30 years ago but about what Castro has done, and continues to do, against the United States to this very day. Thank you, Mr. Chairman.

[The prepared statement of Mr. Calzón and material submitted for the record follow:]

PREPARED STATEMENT OF MR. FRANK CALZÓN, EXECUTIVE DIRECTOR, THE CENTER FOR A FREE CUBA

*"It is the responsibility of the democratic world to support representatives of the Cuban opposition, regardless of how long the Cuban Stalinists cling to power.*

Vaclav Havel

Thank you, Chairman Delahunt, for inviting me to testify before this Sub-Committee. I would like to summarize my testimony and ask that the full text be placed into the record.

I am a Cuban refugee who has spent most of my life advocating human rights for Cubans and others. From 1986 through 1997 I was Freedom House's Washington representative. I have testified before the U.N. Commission for Human Rights in Geneva and for the last ten years I've been the executive director of the Center for a Free Cuba.

During the current fiscal year the Center for a Free Cuba has received from USAID \$1, 081,164 and from the National Endowment for Democracy \$21,472.84. We also raise about a quarter of a million dollars a year from the Cuban American community.

The Center is one of the seven (out of a total of ten) USAID grantees which according to the Government Accountability Office "appear to have established systematic procedures for documenting, tracking and reporting on the use of grants funds." The GAO also says that "Dissidents [they] interviewed in Cuba said that they appreciated the range and types of U.S. democracy assistance, that this assistance was useful in their work, and that this aid demonstrated the U.S. government's commitment to democracy in Cuba."

No federal funds have been used for any costs associated with this testimony.

Chairman Tom Lantos has indicated that the purpose of this hearing was to "explore whether there is a double standard in how the U.S. Government treats foreign governments with poor human rights records."

The search for an equal policy to be applied everywhere is a fallacy. The policy of Canada toward the U.S. is not the same as Canada's policy toward Indonesia. The policy of Chile toward Britain is not the same as Chile's policy toward Equatorial Guinea. Foreign policy is determined by numerous factors, including human rights and the national interest of the countries involved. Those who argue for a China policy to be applied to Cuba are not asking for consistency but for an exception in the hemispheric policy of the US based for many years on opposition to dictatorship and military rule.

But hypocrisy remains an equal opportunity malady. Why are Angola, China, Saudi Arabia, Cameroon, Qatar, Russia, Egypt, Azerbaijan, and Cuba, among the worst violators of human rights members of the United Nations Human Rights Council? China has for years prevented consideration of its abysmal human rights record, and recently the Council eliminated the investigation of Cuba and Belarus, which had not allowed U.N. rapporteurs to visit them.

When looking at Egypt, Azerbaijan, and Cuba one could look at the access they provide to foreign NGO's. Amnesty International reports it has visited Egypt in July, September and December of 2006; and Azerbaijan in April and July of the same year. AI reports that "the Cuban government has denied Amnesty International the opportunity to visit the island since 1988," 19 years ago.

"Cuba," says Human Rights Watch "remains one of the few countries in the world to deny the International Committee of the Red Cross access to its prisons."

Another indicator to watch for is freedom of the press and the number of journalists in prison. According to Reporters without Borders (RSF) and the Committee to Protect Journalists (CPJ), Cuba is second to China in the number of journalists it has in prison (24). Azerbaijan "frequently uses violence and threats against the

media” and it has three journalists in prison. RSF says that Egypt failed to make good on its proposed press law reform and has arrested at least seven journalists. But according to Cuba’s Stalinist model, since 1960 every Cuban newspaper, radio, and TV station is own by the state.

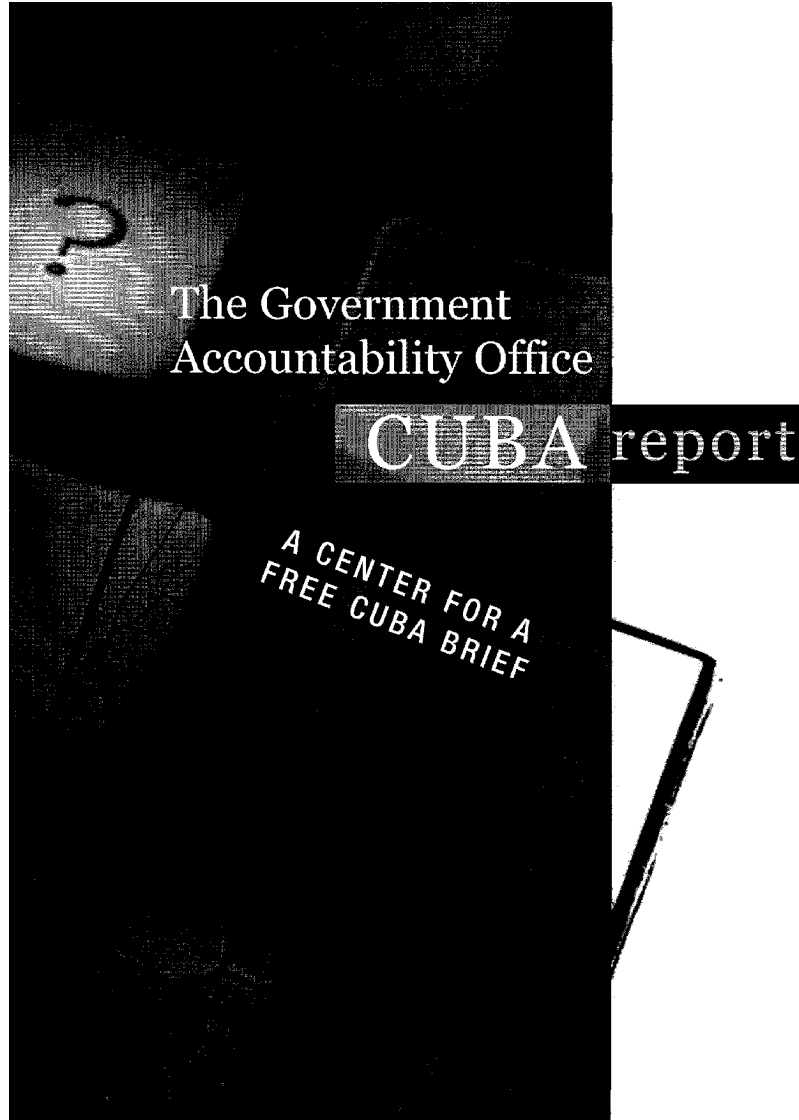
How the U.S. can best promote human rights and democracy in these countries? First and foremost by following Vaclav Havel’s advise and speaking truth to power, and by defending the human rights of others as if they were your own.

Specifically about Cuba, please allow me to suggest the following:

- 1) Any policy changes should be based on the understanding that they advance the development of Cuba’s civil society. No unilateral steps should be taken that disproportionately benefit the regime. It would be counterproductive to dismantle U.S. policy piecemeal and real reform bolstered by legal protections should precede changes in U.S. restrictions.
- 2) U.S. policy is properly tied to reform. When Havana allows the Red Cross to visit its prisons, ends the beatings of dissidents by its thugs, and ends its unconscionable segregation of hotels, restaurants, beaches and clinics set aside for foreigners, Washington should review its travel restrictions. Americans should not subsidize apartheid.
- 3) Havana objects to U.S. restrictions because they limit the amount of hard currency that the Castros need for repression and to nurture like minded anti-American regimes abroad.
- 4) Raul Castro intends to consolidate his power. He wants to minimize the destabilizing impact of his brother’s death. He has implemented restrictions on foreign journalists and has increased repression. But Havana needs an immediate influx of dollars to prevent an even greater economic crisis, and to ensure that reforms are unnecessary and won’t have to be made. Whenever internal pressure has built in the past, the government cracks down and makes a few concessions. After pressure eases, it delivers a backhanded slap.
- 5) Restricting family visits creates hardships for some Cuban Americans who are faced with family emergencies. The answer is not to lift all restrictions on Cuban American travel but to bring such travel in line with other licensed travel to the island. Emergency humanitarian travel licenses should be issued; but the ban on tourisms should remain.
- 6) Economic reforms should also precede any consideration of increasing the limits on remittances. Cubans ought to be able to use remittances to start small businesses and engage in private commerce. Without reform an increase in remittances will lead to price increases in the government’s hard-currency stores. The average Cuban salary is less than \$20 U.S. dollars a month. A hundred dollars a month per family is a substantial donation. Larger amounts will delay needed reforms.
- 7) Let’s also refer to INTERPOL the names of the Cuban officers who murdered the Brothers to the Rescue Pilots in international airspace. Murderers of Americans should not be given impunity.
- 8) Above all, let’s not base U.S. policy on the disinformation generated during many years by Ana Belen Montes, the Defense Intelligence analyst serving a 25 year sentence for spying for Castro. Let the US declassify information not only about what the US attempted to do to Castro more than 30 years ago, but about what Castro has done and continues to do against the U.S. to this very day.

U.S. policy is based on the need to help the Cuban people *while denying hard currency to the Castro’s dynasty*. These two goals are not mutually exclusive. The United States has options, short of unilaterally lifting travel and economic sanctions. Let’s utilize those options within the context of U.S. policy, to protect the United States and to the people of Cuban.

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The GAO report was released in November 2006, but "since 2005, USAID's Cuba program has taken several steps to improve data collection and its communication with grantees." This text is a reprint of page 43 of the GAO report.

#### USAID Program Office Has Started to Focus on Collecting Better Information

Since 2005, USAID's Cuba program has taken several steps to improve data collection and its communication with grantees.

These include:

- **Increasing staff expertise and meeting more regularly with grantees.** In 2005, a staff member with experience in grant management and performance evaluation joined USAID's Cuba office; this staff member developed, and began using, a set of structured questions to gather and record grantee performance information. This new staff member also began to meet and regularly communicate with grantees. However, the staff member said that the office's small number of staff makes effective program monitoring and evaluation challenging.<sup>22</sup>
- **Improving information in grantees' quarterly reports.** The Cuba program acknowledged that quarterly reports submitted by grantees have not included important information about program activities and results. Several grantees said that they were unsure of what evaluation-related information to include in reports and had received relatively little guidance from USAID until recently. According to USAID, smaller grantees have experienced greater challenges in this regard because of their lack of experience working with USAID and because of their limited English proficiency. USAID officials acknowledged grantees had not been provided formal training in program evaluation. In July 2005, USAID's Cuba program office e-mailed grantees a more detailed description of the types of data and other information to include in their quarterly reports, as part of a series of e-mails to remind grantees of USAID laws, regulations, and policies. USAID staff said that they are working with grantees to improve the quality of their quarterly reports and that they intend to issue additional written guidance.
- **Requiring intermediate program evaluations.** In 2006, recognizing that the frequent use of agreement modifications and extensions had postponed end-of-project evaluations for many grantees, the Cuba program office decided to include terms in future grants and cooperative agreements requiring grantees to submit interim evaluations when requesting significant project modifications or extensions.

<sup>22</sup>The 2000 PriceWaterhouseCoopers evaluation report concluded that the unusual nature of the Cuba program created a heavy workload for USAID's Cuba program office and that the office was understaffed.

No federal funds were used for any expenses associated with this publication.

## The Government Accountability Office

### Cuba Report: A CENTER FOR A FREE CUBA BRIEF<sup>1</sup>

On November 15, 2006 the U.S. Government Accountability Office released its long-awaited report on U.S. Democracy Assistance for Cuba. The GAO report was in response to a request, made in mid-2005, by Reps. Jeff Flake (R-Ariz.) and William “Bill” Delahunt (D-Mass.) to “review issues related to the use of funds authorized by the Cuban Democracy Act and the Cuban Liberty and Solidarity Act.”

Both Reps. Flake and Delahunt are members of the bipartisan House of Representatives Cuba Working Group, which advocates an end to the U.S. government’s embargo on Fidel Castro’s regime.

To quote from the report, the GAO “analyzed selected characteristics of the 34 grantees that received one or more of 44 State Department or United States Agency for International Development (USAID) grants from 1996 through 2005. The GAO also analyzed the reported activities, assistance delivered, and management and internal controls for 10 USAID grantees with 14 awards active in 2005” [p. 2]. The resulting 58-page report, entitled “U.S. Democracy Assistance for Cuba Needs Better Management and Oversight,” is a fair assessment of the federal government’s Cuba program.

<sup>1</sup> Unless otherwise indicated, all quotations are from the November 2006 GAO Report *U.S. Democracy Assistance for Cuba Needs Better Management and Oversight*.

This CFC brief seizes the opportunity to call attention to the importance of the GAO report for future authorization of funding under these two federal programs. As a historic USAID grantee, the CFC applauds the GAO report’s thorough, objective analysis and believes strongly that the report vindicates the CFC’s past and present practice. Finally, the CFC supports the report’s call for “better management and oversight” [p. 5] of the three grantees it identified as having “questionable expenditures and significant internal control weaknesses” [p. 35].

The following is a comment on the GAO report and its brief history. For the sake of brevity and synthesis, we choose to highlight those aspects of the report most relevant to the CFC’s work and interests. The CFC was one of the grantees which the GAO reported “appears to have established appropriate procedures for the documenting, tracking, and reporting on the use of grant funds” [p. 37]. No federal funds were used for any expenses associated with the preparation of this brief or its publication.

#### HISTORY

Even before the report was released on November 15<sup>th</sup>, 2006, two U.S. newspapers reported on the GAO’s findings. Working from an apparently leaked copy, the Miami Herald published an article with the headline “Federal program to help democracy in Cuba falls short of mark”. The November 14<sup>th</sup> Herald article included these troubling remarks by Rep. Flake: “I simply don’t know how we can continue with the current individuals who are running the programs and the current structure after this report.” Rep. Delahunt, quoted in the Chicago Tribune’s “GAO report critical of Cuba program” article, gave a similar spin to the entire Cuba program: “This program is a poorly administered part of a badly flawed policy” [Nov. 16, 2006]. The Herald also quoted Peter Orr, former USAID Cuba Program under President Clinton, who contradicted facts in the report: “Shipping stuff into the island is an incredible waste” [Nov. 14, 2006].

The provocative spins in the U.S. media were immediately echoed by the government-controlled Cuban press. *Granma*, the Cuban Communist Party newspaper, cried

that “the U.S. government has taken from U.S. taxpayers’ pockets to finance its criminal and failed anti-Cuba policy, and to maintain active the industry of the anti-Cuban counterrevolution via programs for promoting so-called ‘democracy’ in our country” [Dec. 14, 2006].

The CFC believes that this kind of unfortunate spinning has focused on the problems raised by the GAO report to the exclusion of the program’s successes, while also failing to provide a framing context. One must conclude that opponents of current U.S.-Cuba policy misconstrue the GAO report to portray U.S. efforts to promote democracy in Cuba as misguided and failing. But even a cursory examination of the GAO report reveals that this exclusively negative assessment is not the case. To quote the first of several passages we will highlight, the report points out that “*since 2005, USAID’s Cuba program has taken several steps to improve data collection and its communication with grantees*” [p. 43]. The GAO also highlights a number of successes of the USAID Cuba program, including sending more than 385,000 pounds (174.6 tons) of medicines, food and clothing to human rights organizations on the island in the last 10 years [p. 20]. In yet another example, the report notes that dissidents interviewed by the GAO in Cuba said:

*“They appreciated the range and types of U.S. democracy assistance, that this assistance was useful in their work, and that this aid demonstrated the U.S. government’s commitment to democracy in Cuba. Dissidents said they appreciate the moral support that U.S. assistance provides, and that this aid enhanced their ability to continue their pro-democracy work.”* [p. 20].

Therefore, given the irregularities the GAO report notes in the case of three particular grantees, the CFC welcomes its conclusion that:

*“In summary, U.S. efforts to support democratic change in Cuba face several challenges. Some result from the difficult operating environment, while others result from managerial weaknesses in the program. To enhance the implementation of U.S. democracy assistance targeted at Cuba, particularly in the context of the Commission for*

*Assistance to a Free Cuba’s call to increase funding for these efforts, this report recommends that the Secretary of State and USAID Administrator work jointly to improve communication between responsible State and USAID bureaus and offices and that the USAID Administrator work to improve USAID’s management and oversight of grantees.”* [p. 5]

## CRITIQUES OF THE GAO REPORT

At the same time, however, the CFC wishes to note that the GAO report contains innuendoes that appear paradoxical in the context of U.S. policy. On page 6, for example, the report states, in an apparent complaint, that “the range of Cuban partner organizations is significantly limited by U.S. law, which generally prohibits direct assistance to the Cuban government and NGOs with links to the government or the Communist Party.” If U.S. policy is to promote a transition to democracy in Cuba, then that goal cannot be accomplished by partnering with the Cuban government or the Cuban Communist Party and any of its sister organizations. Under current U.S. law it is illegal for USAID to pass money onto the Cuban government or the Communist Party and its sister organizations. Indeed, it would be a very serious failure of USAID oversight had the GAO discovered the agency was doing so. Granted that the statement appears within a section of the report about the challenges faced by U.S. assistance by conditions by Cuba conditions, but the words “*significantly limited*” appear to criticize implicitly the prohibitions under which USAID works. We believe that criticizing — directly or indirectly — people who are following the U.S. law and implementing the President’s policy falls outside the GAO’s mandate.

This particular example of the report’s implicit criticism would be insignificant were it not coupled with similar instances of inconsistency. On Page 26, for example, the GAO report charges USAID with not having “*adequate policies and procedures*” and with failing to provide “*adequate oversight*” or “*adequate training to grantees*.” And yet, on page 37 of the report, when grantees are found “*to have established systematic procedures for*

*documenting, tracking and reporting on the use of grant funds*", it states that "operating procedures at some of these seven grantees are likely the result of pre-existing internal control operating characteristics (and do not reflect USAID monitoring and oversight)". In other words, whenever the performance of the three grantees is found to be inadequate, the alleged irregularity is said to be due to lack of USAID oversight; and yet, when seven grantees are found to observe adequate procedures and controls, due credit to USAID is withheld.

### CFC'S WORK VINDICATED

Such critiques notwithstanding, the CFC agrees with the report's overall assessment of the government's Cuba program, and for this reason believes that the report vindicates its ongoing work, not to mention the entire USAID Cuba program. This conclusion is borne out by numerous details of the report's findings.

For example, of the 10 grantees the report reviewed in detail:

*"7 were found to have established systematic procedures for documenting, tracking, and reporting on the use of grant funds. These 7 grantees including the CFC, accounted for close to 91 percent (\$47.2 million) of the awards received by the 10 organizations reviewed...These grantees also had detailed records of their respective activities. For example, one grantee maintained an inventory and signed receipts for humanitarian shipments to Cuba, and dated, handwritten notes of telephone calls or other communications to verify receipt of shipments. Another grantee maintained detailed records of the methods used, quantities of printed material transmitted, and copies of communications as evidence of receipt" [p. 37].*

Among the problems the GAO found in the programs of the other selected grantees, it "identified fundamental internal control weaknesses at 3 ... that most likely would have been identified had USAID followed up on weaknesses identified by preaward reviews. In addition, the lack of adequate oversight and monitoring by USAID's program office allowed for questionable expenditures by three grantees to go undetected" [p. 35].

The CFC does wish to note that these three particular grantees administered only 6.4% of the total federal funds for the Cuba program. In addition, the GAO report does not indicate how much of their \$4.7 million in grants was spent on "questionable transactions and expenditures."

Among the "fundamental internal control weaknesses" the GAO report observed were that:

*"Two of the 3 grantees detailed above did not maintain adequate records of the amount and type of assistance or materials sent to Cuba, the methods and dates assistance was sent or transmitted, or efforts to verify that assistance was received. Additionally, these two grantees had not established systematic procedures for gathering, documenting, and reporting this information." [p. 36].*

And among the types of "questionable expenditures" the GAO observed were that:

*"[T]wo grantees had inadequate support for checks written to key officials of that organization. In addition, one of these two grantees could not justify some purchases made with USAID funds, including a gas chainsaw, computer gaming equipment and software (including Nintendo Gameboys and Sony Playstations), a mountain bike, leather coats, cashmere sweaters, crab meat, and Godiva chocolates...Subsequent to [the GAO's] questions regarding these purchases, the grantee's executive director wrote [them] that he intended to submit corrections to USAID for some of these charges." [p. 37].*

While the CFC joins the GAO report in noting these questionable expenses of federal funds, it also wishes to highlight that those three particular grantees "accounted for about 9 percent (\$4.7 million) of the awards received by the 10 grantees [the GAO] reviewed." [p. 36]. In sum, the good that is done by the USAID Cuba program far outweighs and outshines the bad.

## CFC SUPPORTS GAO RECOMMENDATIONS

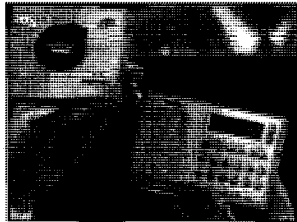
Finally, the CFC wishes to join publicly the GAO report's recommendation for improved communication and monitoring, and particularly the report's statement to the effect that *"consistent with the Secretary of State's recent foreign assistance reforms, it was taking steps to improve interagency communication and coordination for Cuba democracy assistance."* [p. 45]. We also note with particular interest and support that USAID has already taken steps, since 2005, to implement the GAO's suggestions. According to the report, *"these actions would include better documentation of USAID grantee monitoring, improved interagency communication, and a review of all aspects of the USAID procurement system as it relates to the Cuba program"* [p. 45].

## CONCLUSION

The promotion of democracy in Cuba is an important task. At this critical juncture in United States and Cuban history, it is essential that U.S. efforts to nurture freedom in Cuba in particular and in the Western Hemisphere in general not be jeopardized by prejudicial interpretations of, or unwarranted conclusions about, such vitally important documents as the recent GAO report. The CFC issues this brief in the hope that it will be read in conjunction with not only the GAO report that has already been released, but, even more importantly, in conjunction with the "classified version" that the GAO promises to deliver shortly *"to provide information about the methods used to deliver U.S. assistance to Cuba"* [p. 2].

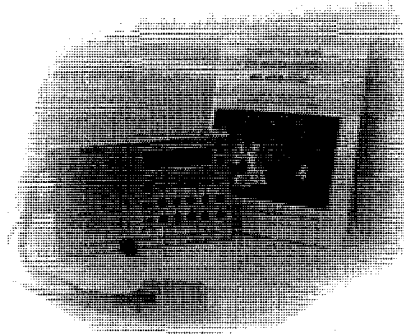
While we strongly believe that there is no substitute for a careful reading of the GAO report itself, the Center for a Free Cuba does hope that the foregoing brief helps underscore the facts about current U.S.-Cuba policy as well as dispel misinformation about the report. We also hope thereby to promote clear-minded, nonpartisan discussions of how best to bring democracy to the people of Cuba.





Above are screenshots from "Mesa Redonda", Castro's television propaganda program. Cubans are subjected to a 24 hour a day diet of anti-American broadcasts. All media in Cuba is owned by the government.

## Cuban Government dislikes radios...



Havana says that the distribution of shortwave radios in the island is a violation of the human rights of the Cuban people.

Havana's broadcast said the United States distributes shortwave radios in Cuba and that a booklet accompanying the radios only lists American broadcast frequencies. In fact, the booklet also lists shortwave frequencies for *BBC World*, *Radio Netherlands*, *Radio Exterior de España*, *Radio Canada International*, *Volce of Slovakia*, *Radio France International*, *Radio Japan*, and other international stations.

No federal funds were used for any expenses associated with this publication.

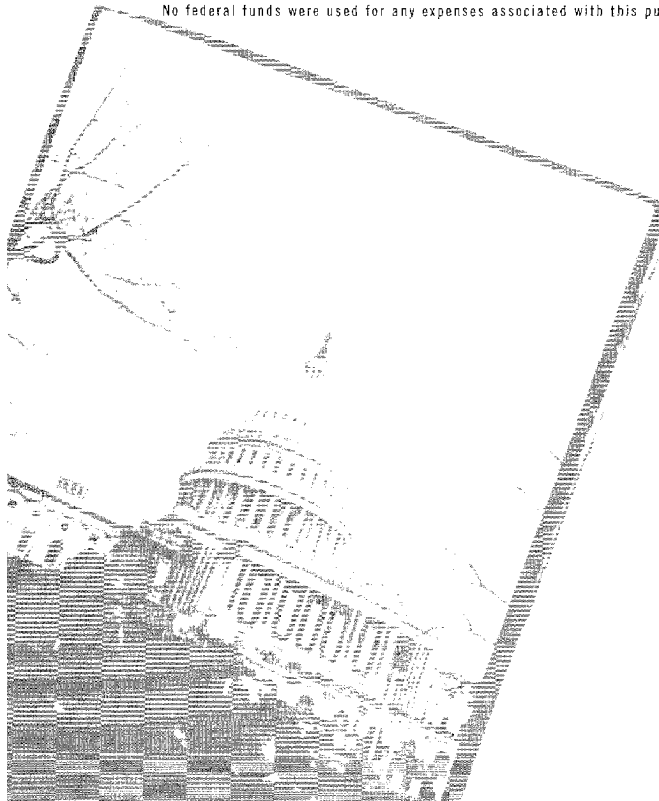


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Mr. DELAHUNT. Thank you, Mr. Calzón.

Let me go first to Mr. Rohrabacher, and after Mr. Rohrabacher, I will go to Mr. Flake. We are joined by the gentleman from New York, Mr. Meeks. Thank you, Mr. Meeks, for your attendance.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman. I have not heard much to disagree with today at all. I think that we really have to get to the point about the truth. Mr. Halperin, thank you for recognizing that as my central point and as was reaffirmed with a quote from Mr. Havel about speaking truth to power, and let us not do lunch with dictators, that concept.

I think you folks are right on target. The United States has to make certain decisions, policy-wise, that will lead to a positive outcome, whether it was the World War II or whether it was the war during the Cold War, or whether it is this war with radical Islam, but, at no time, does that mean that we should not be speaking the truth, and the truth will keep us, at least, on the path to a long-term goal that will not obliterate short-term gains. If that makes any sense to you, I think that is what we are talking about.

But you would, Mr. Halperin, agree that, at times during the Cold War, we had to make agreements with certain governments that, had they been overthrown, would have been replaced by governments that would continue to be dictatorial. Isn't that right?

Mr. HALPERIN. If I may, I think that is right. You have to make hard choices in each case, but just as I did not believe that we should write off the countries of Eastern Europe because of the power of the Soviet Union, which many people argued that we should, I do not believe that it is the case that there is always a conflict between our interests in this long term in democracy and human rights and our short-term security interests.

I think the President and the Secretary of State got it right. Unfortunately, they forgot what they got right. They both said what I believe to be true, that it is not only against American ideals, but it is against even our security interests, to not push the countries of the Middle East toward greater progress toward democracy. They both said that, and then they seemed to have forgotten it.

Mr. ROHRABACHER. Let me give you an example: Karimov in Uzbekistan. I happen to have played a little role in that. I knew about Uzbekistan. I had been in and out of Afghanistan numerous times during the 1990s, and I knew Mr. Karimov.

After 9/11, it was my recommendation, made behind the scenes, very forcefully, I might add, that we use Uzbekistan as a staging area against the Taliban, instead of Pakistan, which was what other people were suggesting. In the end, we did. We used Uzbekistan as the staging area.

However, when it became evident that Mr. Karimov, and, by the way, I had talked to Mr. Karimov privately and had suggested just that: "You know, Mr. Karimov, if you want to be the George Washington of your country, you should announce that you will not run for reelection in a certain number of years and become the champion of democracy." Unfortunately, as we know, he did not take that advice.

However, that does not mean, in realizing your shortcomings, that did not prevent me from suggesting that we handle the challenge of 9/11 by utilizing Uzbekistan's willingness to permit us to

use that as a launching area against this al-Qaeda. Was that the right decision?

Mr. HALPERIN. Yes. I think it was the right decision, but my view on that is, again, we ought to do it in a way that is fully truthful; that is to say, we ought to treat that as a base rental, and I think it ought to come out of the Pentagon budget. We ought to say to a country, "We want to use your base. We will pay you rent for it." But we ought not to then give them economic assistance and pretend that they are our friends, and we like what they are doing. They want our money, they will take it for the base, and we ought to be clear on what we are doing.

Mr. ROHRABACHER. When we did withdraw, at some point, so the administration did make the right decision there. Again, in terms of the double standard, and I believe that your testimony today on the double standard of Cuba, especially that where you have forces at play who go to Guantanamo, and such smug and self-righteous condemnations of the United States operation in Guantanamo, which I do not accept, while right over on the other side of the fence, Amnesty International and the International Red Cross are not permitted to visit prisoners, yet no statement is made by those very same forces that are attacking the United States.

It is that kind of double standard that, I would say, has a much more deleterious effect because it convinces patriots in the United States that perhaps what is happening here is not a demand for human rights but, instead, is some kind of a partisan effort, an attack on the United States, by not people who are looking for human rights but, instead, just want to replace certain tyrants with certain more friendly, left-wing tyrants.

Mr. CALZÓN. Mr. Rohrabacher, if you would allow me to comment, just to make sure that I did not mislead the subcommittee, the International Committee of the Red Cross has requested from the Cuban Government permission not to go from Guantanamo to Cuba but permission to visit Cuban prisons. The problem is not the Red Cross; the problem is the Cuban Government ignores those requests.

Mr. ROHRABACHER. That is not precisely correct, and that is the point that I was trying to make. I would like to go into one—

Mr. HALPERIN. Mr. Rohrabacher, could I just comment on that?

Mr. ROHRABACHER. Sure.

Mr. HALPERIN. I agree with you about that double standard, but I am equally concerned about the double standard of the United States properly criticizing countries, including Cuba, for not allowing U.N. special representatives, dealing with various issues like torture and disappearances, to visit Cuba, when we then turn around and do not allow those rapporteurs to visit the United States with the access that they think they need to have to do their job.

I think we should not be ashamed of what we are doing. If we think it is the right thing, we ought to follow that own standard.

Mr. ROHRABACHER. I agree with that, and let me note this. I voted to make sure that all interrogations were videotaped. Okay? A lot of people said, "That is going to, in some way, suppress the ability of our people to get the right answers out of people."

Well, I happen to think that we should be very proud of any information that we can get out of terrorists, and that is where it leads into the next question. So they should be videotaped, and if force is used to get information from a potential terrorist, how that information was received should be public knowledge, and should defend the strategies which we are using to fight this war against radical Islam, whatever it is.

Whatever that policy is, it should be something that we can discuss here and can be discussed with the public, which leads me to my last point, and then I will move on, but this is the more controversial point because I have been attacked so heavily in the blogs after being so—I do not know—I guess, monstrous to say that actually utilizing force against a terrorist is not something that, I think, should be out of limits in trying to save lives during this war with radical Islam.

For example, in Guantanamo, those are not Afghan citizens in Guantanamo. We picked them up in Afghanistan. These are people who came from all over the world to go to Afghanistan to participate in a terrorist army. All right. This is not Afghan people or anything like that. Nobody went up to Afghanistan and was just picnicking up there—

Mr. DELAHUNT. Would my friend yield?

Mr. ROHRABACHER. If I could finish my question, it would be better.

Mr. DELAHUNT. Sure.

Mr. ROHRABACHER. So if, indeed, you have a situation where someone is part of a terrorist operation, which is self-evident, either by admission or by recordings or by some sort of surveillance, and we know that a terrorist operation is engaged in activities which will cause the deaths of thousands of innocent people, is it a violation of human rights to use force on that person to save the lives of tens of thousands of other people who might be killed in a terrorist operation?

Now, obviously, if you have the wrong person, or, obviously, if you are using terror or torture to terrorize a population into submission as an authoritarian government, that torture is a violation of human rights, but when you are at war with a group of people who routinely bomb civilian targets in order to terrorize populations, is it a violation of the human rights of that person who is part of a terrorist operation to torture information from him that might save the lives of other people?

Now, that is a fundamental question. If you could all just give me a reply, and I will not argue with you.

Mr. DELAHUNT. If my friend would just yield for a moment, you made a broad and sweeping statement that everybody in Guantanamo is there because they had been—let me finish—arrested in Afghanistan after joining the jihad while the reality is, is that a substantial number of them had nothing to do with the jihad, were there, were picked up and swept into a dragnet. They ended up in Afghanistan. Thankfully, most of them were released, but it took several years. There was no process to review the information on which they were apprehended.

So I think it borders on being disingenuous just to say that this was an infallible effort that apprehended terrorists and that every

single individual that was taken to Guantanamo was a terrorist, because that is not the truth. That is not the facts. We have got to acknowledge that. Just to simply make broad statements does not work.

Mr. ROHRABACHER. Mr. Chairman, if I can suggest——

Mr. DELAHUNT. You do have your time back.

Mr. ROHRABACHER [continuing]. That there may have been an innuendo, as you suggest. My innuendos were never, everybody was a terrorist; my innuendo was always the preponderance of people that we are dealing with are people who end up—it is very difficult for me to comprehend, during that time period, how you would have, especially in the aftermath of 9/11, you would have people vacationing in Northern Afghanistan who happen to be just picnicking next to a terrorist——

Mr. DELAHUNT. It is not about picnicking; it is about people that were sold by others for bounties, for money, that had nothing to do with 9/11, or were implicated in any terrorist activity, and you simply cannot make those statements and have them accepted as fact. You have your time back.

Mr. ROHRABACHER. Mr. Chairman, we are not talking about Afghan citizens. The people in Guantanamo were foreigners to Afghanistan. If they were sold out, what were they doing in Afghanistan? I would suggest that it is a logical thing for people to suggest that, after 9/11, Muslim activists, or whoever they are, who ended up in Northern Afghanistan, even some Americans who ended up there, captured, that it would be a logical thing to make sure that we know that they are not part of a terrorist network.

In Guantanamo, right now, the 200 people that I understand are there are all non-Afghans. Now, I happen to believe that the mistreatment that we have heard about in Guantanamo is exaggerated, but I will say that, had we decided to leave, these prisoners, these non-Afghans, in Afghanistan with those people that threw the Taliban out, the level of treatment that they would have expected to receive would have been much worse, much worse, than anything you could possibly imagine has happened since that time.

Mr. DELAHUNT. But I know that you agree with me, my friend, that we have a different standard. We want to establish a benchmark of respect for civil liberties and dignity for others that is irreproachable and beyond anything that most nation-states or societies have ever embraced. We are special, and that is why we believe in due process in determining the truth, rather than just simply making statements that are taken out of the air that have no basis in fact. I yield back to my friend.

Mr. ROHRABACHER. Which leads to the question which was posed, which is, is it a violation of human rights to use force against individuals who, quite evidently, are part of a terrorist network, and, in fact, the proof in the pudding is maybe after admitting that they were involved in a terrorist plot after force was used. If that person has admitted it and given us the information, has that person's human rights been violated to use force against the person who is about to murder somebody? Go right ahead.

Ms. WINDSOR. The answer to that is, yes, it is a violation of that person's human rights——

Mr. ROHRABACHER. Okay.

Ms. WINDSOR [continuing]. And the act of a terrorist is also a violator of human rights.

Mr. ROHRABACHER. Right.

Ms. WINDSOR. Your question really is whether it is actually good policy to weigh that.

Mr. ROHRABACHER. Right.

Ms. WINDSOR. There is a debate about that, but I would say that I am convinced by members of the U.S. military whom have spoken out, quite persuasively, that these have not made the U.S. less safe, in taking these tactics on, and that, to me, is who we should listen to in this case.

Mr. ROHRABACHER. Okay. So your answer is, it is a violation of the human rights of the person who is about to murder 10,000 people with a dirty bomb to get the information and stop the dirty bomb, but you are admitting that the practicality might be that it would not be such a bad thing to stop him because the human rights of the 10,000 people about to be incinerated have to be taken into consideration in policy decisions. Am I not summarizing—

Ms. WINDSOR. That is the theoretical argument made by those that say that force is necessary. Unfortunately, I have yet to see any evidence that that standard has been met.

Mr. ROHRABACHER. Let me note that, in the war with radical Islam, where you see people putting bombs off in cafes and such every day, that that is not theoretical. That is not theoretical whatsoever, and whether or not I can give you a list of successes.

I do know that there has been a number of successes of people who thought that we were not going to be able to forcefully ask them questions who came up with some details. I forget the name of the terrorist leader right now, but he was number two in al-Qaeda, and when we caught him, he was saying nothing, and as soon as he learned that he was not going to have every protection given to American citizens who are arrested by a policeman, he began giving us information that was very useful.

Mr. Halperin, do you want to comment on that?

Mr. HALPERIN. My answer to that question is that it is not only a violation of human rights; it is a violation of American law. The United States signed the Convention against Torture.

The Convention against Torture prohibits not only torture but cruel, inhuman, and degrading treatment and specifically says, in the convention, that there are no circumstances in which the obligation to honor that commitment can be violated. It deals specifically with threats to the security of the nation and says explicitly that you cannot violate that principle, no matter how great the threat is.

Mr. ROHRABACHER. And you would think that that should guide our judgments and policy.

Mr. HALPERIN. I think it should guide us because it is the law of the land. The Senate ratified it, and the Congress enacted an implementing legislation. If the President of the United States thinks that that was a mistake and that we ought not to be bound by that rule, this is a constitutional democracy. The President should come to the Congress and say, "I want you to enact legislation which, because it will come afterwards, eliminates from us that obligation," and then we can have a debate about the subject.

I believe the evidence is clear that torture does not work and that when you give interrogators the right to torture people, they get less information, and I think we undermine—Senator McCain, I think, has said it as well as anybody. It is about who we are; it is not about who they are.

I agree with that, but, at the moment, the point I am making is this is a nation of laws. We have enacted that law. We should not, in secret, violate it because the President says he does not have to obey the law. If he wants to change it, let us have a debate about it.

Mr. ROHRABACHER. As I suggest, the truth of the matter is what is important, and for us to discuss that, I would suggest that the American people should hear the arguments and decide whether they want you two people, the position that you have outlined as the moral position, to hold sway or whether they believe that, if it means saving the life of their children and everybody in their neighborhood from a dirty bomb, it is okay to try to put somebody underwater for—

Mr. DELAHUNT. If the gentleman—I really do want to get to Mr. Flake. We will get to you, and I will allow you to, on my time, respond to this particular issue, but, you know, there is nothing in our constitutional democracy that would prohibit the ranking member from filing legislation, you know, seeking the rescission of the United States, or withdrawal of the United States, from the International Convention on Torture and degrading treatment.

So he is free to do it, and if he feels that passionately about it, and if he subscribes to, you know, his view that torture and degrading treatment is appropriate at times, I say, go ahead, file the bill, and let us have the debate.

Mr. Flake?

Mr. FLAKE. Thank you. With regard to this hearing, I think we can have an interesting discussion about what is consistent and what is not in terms of dealing with human rights-abusing countries, and I am not one who thinks you can always have consistency. I think, in general, our policy, I have always felt, should be that Americans should be allowed to travel where they want to, unless there is a compelling national security reason not to.

Ms. Windsor, is there any restriction on Americans traveling to Azerbaijan or to Egypt or anywhere else?

Ms. WINDSOR. Not to my knowledge.

Mr. FLAKE. Mr. Halperin?

Mr. HALPERIN. None. I agree with you that I think Americans have a constitutional right to travel, and I do not trust my government, as much as I may like my government, I do not trust my government to decide what countries I should travel to. Different administrations at different times have thought we should not travel to different countries, and I believe that Americans have the right to decide for themselves where to go, and where we think a particular country is a place people should not go to, we should urge them not to go, but we should not have the government prevent us from going.

Mr. FLAKE. Thank you. I feel that way as well. I am under no illusion that if we lifted our travel ban and allowed Americans the freedom to travel to Cuba—



Mr. CALZÓN. Mr. Flake, may I comment on that?

Mr. FLAKE. I think that Mr. Castro would probably impose his own restrictions. But if somebody is going to limit my travel, it should be a communist, I would think, and not this government. We are better than that.

But with regard to Mr. Calzón, you mentioned, on Miami television recently, that there are "friends of Fidel Castro in both political parties." Who are these friends, and what does it take to be a friend of Castro?

Mr. CALZÓN. First of all, when was that political interview? Being a Cuban and not allowed to speak in Cuba, I tried to speak as often as I can, but you have got to tell me what it is and what the context is. Look, there are folks that have gone to Cuba. I do not want to get too much into that, but there have been members of this chamber who I have talked to and who offered to take a case of medicine to Cuba, and they did not. He did not. He is a member. I do not want to mention names. He did not because he went on a vacation with his wife and his family. I found that very troubling.

So I am not interested in giving names, but now that you mention—

Mr. FLAKE. Let me ask a question that will make it easier.

Mr. CALZÓN. Yes, but I would like to say that, since you are quoting me about something, I was troubled by a quote from you in the *Miami Herald*, and I could give you the date of that interview with Pablo Batchelet, in which you said, Mr. Flake, "I simply don't know how we continue with the current individuals who are running the programs and the current structure after this report."

That statement was about the folks, the public servants, who have run admirably—the United States Agency for International Development Cuba program—and I think your comment was received by them and by many others as an effort by a Member of Congress to intimidate someone who worked for the U.S. Government, and they are afraid of losing their jobs. I think that if they are so bad, you ought to do more than just tell the *Miami Herald*.

Mr. FLAKE. I think we did. I think you are referring to a GAO report that Congressman Delahunt and I commissioned, which showed that some of those receiving U.S. grants were buying with that money Godiva chocolates, cashmere sweaters, chain saws, Nintendo machines. I do not think that—

Mr. CALZÓN. I am glad that you said that "some" because Mr. Delahunt said that no funds were being—

Mr. DELAHUNT. Mr. Flake, getting back to this hearing.

Mr. FLAKE. Getting back to the hearing—

Mr. CALZÓN. No funds were being accounted for.

Mr. DELAHUNT. Mr. Calzón, we will do another hearing on the report to meet your needs, but I really would like to stick with this, and he only has 10 or 15 more minutes.

Mr. CALZÓN. But on the question that I had about travel to Cuba, I am surprised that you raised that issue, Mr. Flake, because, in the United States, when there is a question about a law, it goes to the Supreme Court, and the Supreme Court has said that the restrictions are legal.

So it is not a question of constitutional law; it is a question of your view and the views of others. So it went to the court, and the

court said that the President can do that, and, furthermore, I think you have a right to travel to Cuba.

I would like you to have the right to travel to Cuba, but I think somebody in the court once said that "your right to extend your hand ends at the tip of my nose," and when tourists go to Cuba and stay in segregated hotels where Cubans are not allowed, we are not talking about travel to Cuba; we are talking about subsidizing apartheid in Cuba. That is like saying that the slave trade was just a right of commerce. It is not, and neither is tourist travel to Cuba.

Mr. FLAKE. If I might say, you have advocated, and I think you are correct, saying that the restrictions that we currently have on Cuban-Americans visiting family, they are overly restrictive.

Mr. CALZÓN. I agree with that.

Mr. FLAKE. You say that in your testimony today.

Mr. CALZÓN. Yes.

Mr. FLAKE. But you seem to suggest that those of us who feel that we should relax some of the travel issues are making concessions in some way. When you are talking about this, this is not a concession, but relaxing them further is a concession, or is that just your standard, or is that—

Mr. CALZÓN. With all due respect, Mr. Flake, I have opposed that restriction from the very beginning, and, unfortunately—

Mr. FLAKE. So following that—

Mr. CALZÓN [continuing]. I do not think that it serves the national purpose. I think it puts the administration in a difficult situation. But I do believe that tourist travel to Cuba, particularly at this time, and everything that we talk about here needs context—nobody has mentioned Venezuela yet and the role that Mr. Castro plays with his resources to promote regimes that are just as anti-American as his. Nobody has mentioned the fact that Mr. Castro has, in Cuba, killers of American police officers who receive safe haven from him there.

So it is a little bit more complicated than the right of some lady to go to Cuba to go on a bicycle. It is the right of my family in Cuba to be treated like human beings, and it is the right of Cubans to be treated like—when you go to Cuba, I also do not understand why Members of Congress stay in segregated hotels when there are many rooms empty at the residence of the U.S. Interests Section in Havana. I think it would be a wonderful thing to go and stay at the U.S. residence and not give Castro any money for anything.

Mr. FLAKE. Let me follow up with Ms. Windsor. It is often called by some a concession if we were to lift the travel ban, for example, or to relax the amount of goods that can be shipped to family or whatever. Do you consider that a concession to the Cuban regime?

Ms. WINDSOR. Well, as you know, there has been a lot of ink spilled and discussion about this topic. I think it is the context of the policy, how the policy is actually explained, and how the policy is heard and manipulated by the Castro regime. I think that is what has caused those of us that are in favor of the free flow of movement and do not think that isolation of regimes has been particularly helpful.

However, in the case of Cuba, every single media outlet is controlled by the Castro regime, and he has been incredibly capable

of manipulating other nations who, of course, have allowed full tourist trade and trade. He has actually been able to manipulate that to his own good, and there has been no actual increase in human rights as a result of that.

So as we debate what is the policy that is going to best advance human rights in Cuba, we need to keep all of those elements in our mind, and I think we need to make sure, and this is where those that oppose any change in embargo is that does it send a signal somehow to those within Cuba that things have improved?

Mr. FLAKE. That is why I am so troubled by the language of some. When Mr. Calzón talks about concessions, where this would be seen as a concession, that we should make no unilateral moves without some measure on the part of the Cubans. I would say we have programs to give food and aid to dissidents and the families of dissidents in Cuba. Should we say that we should not do that until the Cuban regime approves human rights? No. That is kind of a non sequitur.

I would put travel in the same category. I do not think that it is a concession to Fidel Castro or his regime to allow Americans the freedom to travel to Cuba. I think the fact that there is an information blockade, that Castro does control the media. That makes it even more important to send people.

Some of us think that this travel ban and the whole embargo is the best thing the Cuban regime has going. So that is all I am trying to get at here, is that people have a right to disagree about what the most effective policy is in order to bring democracy to Cuba and to give people there a better life.

Just because some of us think that family members should be able to travel and see family members whenever they want to and that people going to Cuba, some may go just to sun on the beach, and some may go to give aid and assistance to dissidents. We do not know which ones. We can rarely tell. We do not do a very good job, as a government, of deciding who is a dissident and who is not. We have actually invited many government stooges into the Embassy or into the intersection.

We are not clairvoyant there, and, I think, to allow freedom is probably the better option. I am a little troubled when we hear consistently that somehow we are making concessions or friends of the Cuban regime if we disagree——

Mr. . Mr. Flake, you would make concessions.

Mr. FLAKE. Dr. Halperin, please.

Mr. DELAHUNT. When you are recognized, Mr. Calzón.

Mr. CALZÓN. Okay.

Mr. DELAHUNT. You will have plenty of time.

Mr. HALPERIN. I want to make a couple of comments on that, if I may. First of all, I think all of us have said we should look to the views of the people struggling for human rights within the country, which is, I am sure, not a unanimous view among the people in Cuba, but I have talked to many, and I have talked to representatives of them in the United States. There are certainly many Cubans who are dissidents who are struggling for human rights in that country who believe the embargo hurts them.

I would also note that the only three remaining communist countries in the world are the three countries against which we have

had embargoes, and I think it is not an accident. I think we should have learned that communist regimes—Stalin had it right—communist regimes cannot survive without keeping out information about the rest of the world. The “iron curtain” came from Stalin, and I think he was right, and I think it is still right. I think the Cuban regime could not survive if there was a free flow between the United States and Cuba.

Mr. FLAKE. Thank you. You do not see it as a concession.

Mr. HALPERIN. I think it is just the opposite. Moreover, I do not want our government to decide, whether I am a tourist or a person going to exercise my First Amendment right to learn about the country.

So I think, in principle, I would say to people, you should not go as a tourist to Cuba. I think it is not a good thing to do. You give money to a terrible regime. But I do not want my government to say, “Well, you can go because you are going for First Amendment reasons, but this other person cannot go because he claims he is going for First Amendment reasons, but is really a tourist.”

Again, I do not trust the government to make those distinctions for me. So I would say, we should let everybody go, and then I would urge people not to go if they are only going to lie on the beach.

Mr. FLAKE. Thank you. That sounds like sound policy. Thanks.

Mr. DELAHUNT. Thank you, Mr. Flake.

Mr. Meeks of New York.

Mr. MEEKS. Thank you, Mr. Chairman, for this timely and lively hearing. I guess some of the consideration that was taking place has thrown me off a little bit on the focus of the hearing, and I have to dip a little bit into that, especially when I hear statements at times, and sometimes they do not take the whole thing into context.

Particularly, being African-American, I know more than anyone else, I think, at least that is here right now, what apartheid is and discrimination and segregation is, et cetera. I know, unfortunately, the ugly past of this country in that regard, and maybe, in some way, how, or form, that is how I, as a result of that history, shape some of my opinions, how I move forward, and, therefore, I am always looking within first before going out to criticize. I always look in and say, “Well, what do we do? What’s our record? How are we moving forward?” before I begin to criticize someone else.

Just recently, for example, there was a Global Peace Index that came out. It ranked 121 countries, trying to determine who, you know, with human rights, as far as people in prison, as far as weapons and military, et cetera, who are the countries that really are idolized for peace. When I look at the people who put this index together, I see Bishop Desmond Tutu, I see the Carter Center, I see Fulbright, as well as a number of others.

So, therefore, at first, because that is the first thing when I look at it, to see if I can give it some credibility. So then I looked with interest to see where the United States would fall because that is the first interest that I would have, not another country. I said, “Well, where is my country with such a system?” Because we often-times like to criticize others, et cetera, and, you know, sometimes I think what we do is, “Do what I say, not what I do,” and I looked

at that number. To my amazement, out of 121 countries, the United States finished 96; 96 out of 121 countries.

Then I think about the other countries and why we have started to become isolated, and people are looking at us in a different manner instead of the way that I would hope they would look at us, and it is because it is more of the “do as I say, do not do as I do” syndrome, and oftentimes we are squashed when human rights organizations began to talk about the violation of human rights in the United States of America.

We do not like to hear that, and we stop that talk. But if somebody else does that, then they are the worst people on the planet Earth because they are trying to defend what their country stands for, and no one wants to be viewed as a human rights violator, as opposed to all of us trying to get together and giving an example of how we should move forward.

That is why, under the colloquy that I have heard with my distinguished colleague from California, is, I cannot believe it because if we do that, how will we have any moral standing in the world to say anything to anybody ever again on the face of the Earth. We will just keep going down in a downward spiral.

Then when I also hear and understand, you know, this situation dealing with Cuba, and, Mr. Calzón, I do not know whether you have been to Cuba since I have been there, but I have gone several times recently, and I clearly have seen Cubans in the various places, Cubans from Cuba, in the hotels that I have stayed in, working there, some who live there, who happen to be able to afford it. I have had a particular interest, wherever I go on this hemisphere, by the way, of the plight of people who are of African descent, and I look and keep that in context because I think, oftentimes, people think that Cuba was a paradise before Castro.

Well, maybe it was a paradise for tourists and certain light-skinned Cubans, but it surely was not a paradise of human rights and equality for dark-skinned Cubans. In fact, if you go before Mr. Castro and look at what took place with reference to whether there was literacy and health care, and other issues, particularly with reference to the dark-skinned, it was not there. It was the playground for the rich.

Now, I have never seen a situation, absolutely also, where we have had a policy, with reference to sanctions, that really has worked in a unilateral form. The only time that I have seen sanctions work, and I think the direction that we need to go as a world, is when it is multilateral. It worked in South Africa not because America really led the charge. America was one of the last to join the multi-sanctions of South Africa; others were there. By the way, so was Cuba.

That is why Nelson Mandela went to Cuba once he was freed from the prisons of South Africa, at that particular time, because when America was not there, there were some others that were who understood, and it is also why—I think that there was a situation back then that I recall when Mr. Castro came to visit, a lot of African-Americans, who, as I said when I started out, suffered more and understands this thing about segregation and de facto discrimination, et cetera, more than most in this country, you

know, understood the language that was being talked about at that particular time.

That is not to say that human rights violations are not occurring in Cuba. That is not to say that human rights violations also are not taking place right here in America because I can show you some. In fact, I can bring you a Member of Congress, who used to be part of a political party called the Black Panthers, who can tell you a lot about what took place and is continuing to take place right here in America.

Let me just ask a question first, and then I want to go to some other things, Mr. Calzón. We have had now—1959—50 years of a policy with Cuba, 50 years. My question to you, in 50 years with this particular policy, has that policy that we have employed in Cuba improved human rights for Cubans in Cuba after 50 years of the same policy? Has it improved because of this policy?

Mr. CALZÓN. Can I answer that?

Mr. MEEKS. Yes. I want the others to answer also, but I will direct it to you first.

Mr. CALZÓN. First of all, with all respect, Mr. Meeks, it is not the same policy, and I think that is the problem, when dealing with Cuba. As Senator Moynihan used to tell me, we all are entitled to our own views but not to our own facts, and the facts show that the policy of the United States toward Cuba, and I am not here defending the administration. I am a human rights activist, and I was going to say to Mr. Rohrabacher that the issue, as he framed it, of using force, is not really using force, but how much force is being used, and that is what bothers human rights folks like me.

Going back to your question, sir, the policy has changed throughout time. I asked President Havel—you mentioned Mr. Mandela—I mention Mr. Havel—I had the opportunity, the privilege, of having several long conversations with him, and, for many people in my country, in Cuba, he is a great friend of the Cuban people. He answered your question, and I will read it here.

I have a quote in the beginning of my paper. It says, according to Mr. Havel, when you talk about 50 years, Mr. Havel says,

“It is the responsibility of the democratic world to support representatives of the Cuban opposition, regardless of how long the Cuban Stalinists claim to power.”

So the issue of 50 years; you were right. Many people in America took too long to rally to the call of Martin Luther King, and many people in America have taken too long to rally to the cries for help of my people. There is segregation in Cuba, sir. There is apartheid in Cuba.

You could have one of your staffers call the top 10 hotels in Cuba and carefully say, “I have three people in Cuba.” Do not tell them they are calling for you, but just, you know, “Three Cubans in Cuba: The mother, the wife, a kid. They have money. Can they stay in the hotel?” They will be told that, no, that the hotel is not—

Mr. MEEKS. I will take you up on that because I have done that while I was in Cuba because, I was able to walk around, and what I have done is just stopping on the street. I had an interpreter with me when traveling because any time I do, what I like to do is to

go to the people on the street. I do not like to just stay with the government. I do not like to stay with the people who invited me.

I like to get into a car, just drive, and tell somebody to stop where I see people gathered. Stop at a bus stop so I can talk to average, everyday people, the people who do not have a political interest, one way or the other, who may not know who I am, et cetera, to ask them various different questions, to ask them their thoughts. Could they visit a certain place? Could they sleep in a certain place? I have heard about certain zones that people could not travel in, and I wanted to find out for myself.

I did not want to hear it from, you know, anybody on my side of the government or on their side of the government, and I figured the best way to do that is just to stop the average, everyday Cuban, and that is what I have done, and I have asked them, and, to my surprise because I expected them to tell me that they could not; to my surprise, in one instance, they, you know, told me that they clearly could.

Now, basically, the problem was, in Cuba, from what I have found, is the same problem that you have here in America: Too many people cannot afford the price to stay in a hotel, but guess what? A whole lot of people in my district cannot afford to stay in a hotel in New York City. So it is a problem of economics.

Mr. CALZÓN. Mr. Meeks, if you would allow me, I do not know who you talked to in Cuba—

Mr. MEEKS. I do not know either, off the street.

Mr. CALZÓN [continuing]. But I can tell you that, during the last 10 years, the Center for a Free Cuba has sent more than 200 groups, people to travel to the island, from Hungary, from Poland, from the Czech Republic, from Germany, from France, from Spain, and all of them, all of them, come back saying that Cubans are not allowed in these hotels.

To tell me, as you said—I know that you did not mean it as an affront, but to tell me that Cubans worked in the hotels; yes, they work in the hotels, sir. They clean the toilet, but that does not mean that Cubans are allowed to stay in the hotel.

Now, as a matter of fact, I will be happy to send to your office the address of the International Pharmacy near Havana where Cubans hang around waiting for a foreigner to come in. Whenever I send people to Cuba, I always say, "Go to the International Pharmacy." Most of the time, they come back and say, "Yes, there were Cubans outside. They had the money. They could not get in to buy the medicine, and the foreigner could buy it."

That is segregation. That is apartheid, and it is unconscionable that we are discussing something like that.

Mr. DELAHUNT. If the gentleman would yield, and this is a fascinating exchange, but I want to give everybody an opportunity to exchange. I do not know. Is the gentleman talking about apartheid in a racial sense or an economic sense? Maybe that is the distinction. I do not want to get into it.

Ms. Windsor, Dr. Halperin, if either one of you would care to comment; otherwise, I would ask my friend from New York to ask his additional questions.

Ms. WINDSOR. Great. Can I begin by thanking Congressman Meeks and recognize his willingness to stand up for the human

rights activists in the Middle East whom are taking courageous risks? We really appreciate those efforts?

I also want to address one point, which is that the effectiveness of our democracy and human rights policy abroad also lies in our willingness to be critical of our own failings, and that is absolutely critical. I would just amend your statement a bit. You said that we need to do that first before we talk to other countries, and I say we have to do it simultaneously.

Mr. MEEKS. I would take that.

Ms. WINDSOR. Freedom House, of course, covers the United States and freedom in the world, but because there has been such great debate about, internationally and at home, about what the strengths and weaknesses of freedom in the United States are, we have actually embarked on a detailed report called "Today's American: How Free?" which we will release at the end of October. For those of you that know Freedom House, you know that our board and our staff represent the full diversity of views within the United States, so stay tuned.

On the issue of what works in terms of United States policy to promote human rights in Cuba, well, the human rights in Cuba have not improved. If you look at 35 years of our survey, there have been some times where civic movements have sort of pushed the boundaries. There might have been sort of teeny bits of openings, et cetera, but, across the board, in terms of fundamental political and civil rights, there have been no improvements. Is that because of or despite U.S. policy?

I think that comes really as an issue, and I think the answer is, I think we need to look about the very, very many mistakes that have been made in terms of United States policy toward Cuba, but one part of that policy I hope we never abandon, because I actually think it has made a difference, is the support to those people inside of Cuba that are actually trying to recognize their fundamental human rights and universal freedom. So I hope that, as we reconsider policy, that that is not abandoned.

Mr. DELAHUNT. Dr. Halperin?

Mr. HALPERIN. I think I will pass. Thank you, Mr. Chairman.

Mr. DELAHUNT. Thank you, Dr. Halperin.

Mr. Meeks?

Mr. MEEKS. Yes. One of the things, Ms. Windsor, that you said, that is, I agree with you 100 percent, and sometimes I think what frustrates me with United States policy, whether it is in Cuba or other places, is that the very people that we want to help, we end up hurting.

Not part of this hearing, Mr. Chairman, but I cannot resist making this analogy because it is a current situation. In Iran, there are a number of dissidents there, and I am trying to reach out and talk to them, and what they say, as we are debating this right now, and it is an unpopular situation, and it is a hard political situation.

We want to come out, and may very well come out, with a sanctions bill. And the people tell me, who are the dissidents, who are on our side, who do not like the regime there, that that is only going to strengthen the regime because they then get the nationalist—there is this country trying to dictate to us what to do as opposed to allowing the individuals, or listening and working with the



individuals, who are the dissidents there, who are living there, and trying to work with them so that we can give freedom to other people.

So, too, it has been some of my experiences in regards to some of the dissidents who are currently residing within Cuba. I spoke to people of the Catholic Church there. I had the opportunity to talk to people in the American intrasection there who were dissidents and ask them what would be the best way to help them gain the freedoms that they so desperately need.

So I agree with you, no matter what we do, the focus and the goal should still be to get the people freedom. There are ways that we need to go about that. If, in fact, Americans were there in a freer way, that we could, because I agree with Mr. Flake, that then I think Mr. Castro would have to try to do something else to prevent us coming in that changes the thing because, if he did not, we would be able to be there to work and to show and open up where people were closed.

We would be bringing newspapers there, the people who would be traveling there. We would be talking about what is going on in the rest of the places of the world. We would be able to communicate and work with folks, and that would help the dissidents that are there who are trying to change what currently is taking place, and that is the question that I say sometimes with reference to our policies: What is the focus? Is the focus to just try to stick somebody in the eye and say, "Ha, Ha, I can stick you in your eye," or is the focus really to try to change the condition in which people are residing in so that they can share freedom and get away from repression?

That, to me, is absolutely essential, Mr. Chairman, that we do that. One other thing that I will just point out—

Mr. DELAHUNT. If the gentleman would yield for a moment.

Mr. MEEKS. Yes.

Mr. DELAHUNT. I see some body language going on. Let me just elicit Ms. Windsor for her response and then Mr. Calzón. If the gentleman has any further questions, I will be happy to entertain them in private. Ms. Windsor?

Ms. WINDSOR. I completely agree with you, Congressman Meeks, that there are people within all of these societies that think what the U.S. Government policy toward their country is harmful to them, and, in particular, I think that, again, this habit of cloaking issues and policies that have nothing to do with democracy and human rights in the name of democracy and human rights is enormously damaging.

That being said, I also think it is extremely difficult, especially in closed regimes like Iran and Cuba, where the governments have extensive surveillance networks, and people are scared to talk in the most private way. I started off with talking about a realistic assessment of what is going on in these countries, and the bottom line is we actually cannot say for sure what the truth is because the free flow of information, the ability to actually access the truth, in these countries is extremely limited.

I would say, on the issue of Iran, I have enormous respect for the dissidents, and I think that this administration has made a number of stupid mistakes. However, I know people in Iran that may

be afraid to publicly say it and feel that they publicly have to go against any outside support because they are going to land in jail, but they actually want international support. They feel isolated, and they faced threats way before stupid statements by the U.S. Government.

Mr. MEEKS. And I could not agree with you more in that regard. We have got to never forget that it is the focus or the objective of what we want to obtain.

I can recall, and the only reason I am using this analogy, and I will be done, Mr. Chairman, with reference to Cuba and, particularly, why I think its important to point this out, and meaning no real disrespect, but I do find a difference oftentimes from people who are living in Cuba to people who are not living in Cuba. I find that there is always a difference there.

As I started out, I will end up this way because a lot of my thought patterns come from the experience that I have had and experience of African-Americans in America, and as long as people were willing to not see what took place—the miracle of Dr. King was that he decided that he was going to go to the places where it was segregated. He was going to go and show and sit down and make sure that everybody could see what was taking place because, until that time, the system would continue to go. It would continue to perpetuate itself.

So it was by doing that that compelled a change to take place. It did not just happen automatically that somebody was beneficent and said, “Oh, we want to change policy because these people’s human rights . . .” it did not happen. It happened because there was an exposure there to it, and it is my deep belief, in a similar pattern, that if, in fact, Americans were traveling and allowed to go into Cuba, then a lot of what is going on that people do not know about would be exposed, and that is then the beginning of a change because then that would compel more people than just Americans and others.

It will galvanize a number of other individuals to say, “We have got to stop this.” But America, with our policy by itself, the people are still going to suffer, and we are not going to be accomplishing anything but saying, we have got this policy. I yield.

Mr. DELAHUNT. I thank the gentleman for his question, and I am going to provide 1 minute—I know this is going to be difficult—for Mr. Calzón to respond in any way he wants, and then I will shortly recognize Mr. Payne, another member of our panel, for his questions, and I promise, at least, Ms. Windsor and Dr. Halperin and you, Mr. Calzón, that I will exercise restraint and not ask a single question relative to Cuba.

So, Frank, this is it. You get the last word for 1 minute, if you want it.

Mr. CALZÓN. Yes. Mr. Meeks, with all due respect, the Cuban people, my people, sir, when they come out of Cuba, they do not start talking differently. You have a Cuban in Cuba today. He might be here tomorrow. I do not know why you have that feeling.

Again, I am sure you are not meaning it in any harmful way, but my people are not waiting for American tourists to tell them what freedom is about. The Cuban people know what dictatorship is. They have seen hundreds of thousands of tourists, Canadians and

many others; many of them go to Cuba to engage in sex tourism with young kids. I hope that travel to Cuba is not simply a policy of let us all go.

I just would like you to think about treating the Cuban people, my people, the way you want to be treated, but, sir, this is not what is happening in Cuba.

Finally, when you said that the problem in Cuba and the problem in the United States is the same, I wish we would have in Cuba the opportunity that we have here to confront government officials and members of the Parliament without fear that when I walk out, they are going to take me away and put me away for a long time.

So there is a difference, and I am a Cuban refugee, and I am very grateful to the American people for allowing me to live here in freedom all of these years.

Mr. DELAHUNT. Thank you, Mr. Calzón.

I am going to go to Mr. Payne, but, Dr. Halperin, when you made the observation about going too far, forbearing from having public events with dictators, authoritarian leaders, that prompted me to request one of my staffers to go up to my office where I have, in a closet, interesting posters that I think lends itself to your concern.

There is a picture, I am going to ask, of President Bush in the Oval Office sitting down with Islam Karimov of Uzbekistan, whom, obviously, Mr. Rohrabacher has alluded to. Mr. Karimov is a thug. He is a despot, and I do not know if there is any short-term gain. I dare say, if it was, we will pay the consequences in the long term.

There is the Shanghai Cooperative Initiative that is ongoing now that I know my friend from California would express his concern about, involving China, Russia, Uzbekistan, and it escapes me, but I think this is illustrative of going too far, of bringing into the White House a gentleman, who it is alleged that his regime boiled people alive, who is purportedly responsible for the massacre of hundreds in Andijan in Uzbekistan.

Now, I understand "real politick," and I understand the need, on occasion, to have to deal with unsavory types, but when we bring it to a certain level, we generate those accusations of hypocrisy that seem to disturb some here in Congress. Well, that ought to disturb them, too, to look at that picture.

There is another picture.

Mr. ROHRABACHER. Do you know when that picture was taken, Mr. Chairman?

Mr. DELAHUNT. I do not care when it was taken. Islam Karimov was in the Oval Office in the White House. He ought not to have been there.

Mr. ROHRABACHER. If that happened, for example, Mr. Chairman, immediately in the aftermath of 9/11, where Mr. Karimov was permitting us to counterattack against those people that slaughtered thousands of Americans on 9/11, and perhaps was indicating he wanted better relations with us, based on him providing us that area to stage our operations against the Taliban, I am not sure that would have been such a bad idea for them to meet.

Mr. DELAHUNT. Mr. Rohrabacher.

Mr. ROHRABACHER. Now, Mr. Halperin says we should have brought up human rights, which I certainly would agree—

Mr. DELAHUNT. Right.

Mr. ROHRABACHER [continuing]. That maybe bringing up human rights would be a good thing.

Mr. DELAHUNT. Reclaiming my time for a moment. I would follow the admonition of Dr. Halperin. I would have sent him a check, but he would not have been sitting in the Oval Office for a photo opportunity.

Let me be really clear. I am not here to simply criticize this administration because this does go back across the administrations of both Democratic and Republican Presidents. So this is not a partisan attack, but I think that the point that Dr. Halperin was alluding to is that if we want to improve human rights, we do not have any leverage with Fidel Castro. We have zero, none. Okay? There are no arrows left in that particular quiver. But we do with Hosni Mubarak.

What is going on today in Egypt, in terms of human rights, in terms of the freedom of elections, and there is another poster—I think that is at Camp David. Ms. Windsor, can you help me describe in more detail the recent activities of the Mubarak regime in Egypt relative to freedoms and liberties that we proclaim and embrace?

Ms. WINDSOR. Mr. Chairman, first of all, I agree. I think visits with the President of the United States should be reserved. The currency is tremendously important.

Mr. DELAHUNT. Just for one moment because some think the short-term gain, that is all it is about, some would suggest, because he is with us. Well, it is interesting because that, too, reminds me of another hearing that we had that revealed that 93 percent of the Egyptian people disapprove of the United States, 93 percent, and if we cannot see beyond our nose and tell us where that is heading, we do so at our own risk. The same thing is occurring today in Pakistan. I am sorry.

Ms. WINDSOR. I think the issue of actually what is in our short-term and long-term interests, there is a huge debate, I think, as to whether actually the promotion of human rights and democracy is in, in fact, our short-term interests, as well as our long-term interests, and that is, of course, a whole issue.

But in Egypt, unfortunately, as I said in my testimony, I think you really saw some very bold statements and actions by this administration, particularly in the 2003–2005 period: Withholding of official visits, withholding of assistance, including direct assistance, contrary to the wishes of the Egyptian Government, for human rights defenders within the country, and I think they should be applauded. And there was some grudging. There was leverage. You could see it. There were actually decisions by the Egyptian Government to sort of loosen up on political space.

I think that, with the elections and the succession issue being raised, the Egyptian Government has systemically closed that opening that has occurred, and I think that the United States Government, and, again, despite assurances by those within the administration, including Secretary Rice, that say that they are rais-

ing it, to me, the fact that the closure is occurring, and there is no change in U.S. policy right now is extremely disturbing.

So, in this case, I do think we are seeing that U.S. policy and leverage made a difference. It is a critical time. We need to seize that opportunity.

Mr. DELAHUNT. But my point to you and to Dr. Halperin, is that Egypt is the second-largest recipient of American foreign assistance, the second largest after Israel, \$2 billion a year. I am willing to accept what you say about, you know, the need to do an assessment and how we discern where our leverage is and what influence we have.

Well, \$2 billion should give you some sort of influence, particularly, you know, for a regime that has its own internal problems. If I am correct, that section of the parliamentary elections that brought a legitimate opposition, in this case, the Muslim Brotherhood that was allowed to participate, ended up with 84 out of 88 seats. Is that an accurate statement? Is that a fact? Is that truth?

Ms. WINDSOR. First of all, I think the assessment is pretty clear, in terms of what is happening.

The other thing I want to say, since I actually worked in USAID for 10 years, is that the Egyptian Government actually gets to sign off on every dollar of that assistance, which is unprecedented in terms of United States Government assistance to any other country in the world.

Mr. DELAHUNT. Well, one can imagine the scenario, taking the long view, if you will, how our national interests would be affected if the instability that would appear to be festering in an autocratic society, under an autocratic government like the Mubarak government, if that should erupt, who are we going to be identified with? We are going to be identified with the Mubarak government.

Dr. Halperin, would you have any idea what the impact would be, in terms of American national interests, if there were a regime, a successor regime, of government in Egypt that was hostile to the United States in an aggressive, adversarial way?

Mr. HALPERIN. That would clearly be a serious threat, and, as I say, I agree with that short period of the Bush administration when it seemed to me they got it right, and they said it was a mistake, even if you look just narrowly at security interests, it was a mistake for the United States to put stability over evolution toward democracy in all of the Middle East and especially in Egypt.

Mr. DELAHUNT. I think I have another question. Let me pose, our relationship with Saudi Arabia. I think we have a poster there, and yet we never hear any criticism of Saudi Arabia. Here is President Bush with King Abdullah. Okay?

I do not know, Frank, if you have ever had an opportunity to read the Department of State reports on Saudi Arabia, in terms of their human rights.

Mr. CALZÓN. I can tell you something on Saudi Arabia. I was with Freedom House many years ago when in Geneva. At that time—I have not looked today, but the Saudis were ranked 7, which are the worst violators.

I gave the Saudis a report from Freedom House, and the Ambassador was very polite, and then he invited me over for coffee and told me, "How could you do this?" I said, "Well, I am not the U.S.

Government.” I said, “If there is anything in that report, Mr. Ambassador, which is not accurate, send me a piece of paper in writing, and I am sure that Freedom House——”

Mr. DELAHUNT. Is this the Saudi Ambassador or the American Ambassador?

Mr. CALZÓN. The Saudi Ambassador, and the Ambassador promised, and we never got anything from him.

Mr. DELAHUNT. But, again, and I would direct this to anyone on the panel, we hear reports of instability. We hear reports of turbulence in that society. We know, from 9/11, the participation of Saudis in the attack on our homeland. We hear about divisions, and I am not conversant. I am really seeking your guidance and your opinion.

What if the House of Saud were to fall because of resentment, because of internal reaction toward the fact that there are no rights for women, there are no independent labor organizations? You cannot wear a cross. What would the reaction be? Would anyone be willing to speculate? Would that be in our long-term interests?

Ms. WINDSOR. As I said in my testimony, I think we all have a pretty bad track record on predicting what would happen, but I will say that there was a small sense, a little bit of an opening, I think, in Saudi Arabia at the beginning of this administration and that, at least to our knowledge, there has not been any sort of facade of trying to bring up human rights and democratic progress in Saudi Arabia.

Mr. DELAHUNT. We have forgotten about it, and yet here we have the king of Saudi Arabia. It is going beyond, as Dr. Halperin says, what is necessary. I understand that, because there is oil there and because of our energy needs, that we have to have a particular relationship.

There is another photo of President Bush in Vietnam. Yes, bring that up. That is after he signed a free trade agreement, just recently.

Mr. ROHRABACHER. I voted against it. Did you?

Mr. DELAHUNT. I am sure I did. But, again, what I am saying is providing opportunities for governments and regimes that are not particularly embracing of universal human rights. We could talk all day about Cuba, Frank Calzón, and I, and Jeff Flake. We have this——

Mr. ROHRABACHER. Would the gentleman yield for just a moment?

Mr. DELAHUNT. How can I say no to you, Dana?

Mr. ROHRABACHER. Just so we can balance things off.

Mr. DELAHUNT. You have had your shot, my friend.

Mr. ROHRABACHER. I know. I just brought of a couple of pictures of President Clinton with Mr. Mubarak, and President Clinton with Mr. Karimov. There is the Secretary of State, under the Clinton administration, with the psychopathic leader of North Korea, you know, and here are pictures of President Clinton and the leaders of Saudi Arabia. You are right.

Mr. DELAHUNT. That is exactly my point.

Mr. ROHRABACHER. That is it. It is not a partisan issue.

Mr. DELAHUNT. That is exactly my point, but you know what? Reclaiming my time—

Mr. ROHRABACHER. Yes, sir.

Mr. DELAHUNT [continuing]. Reclaiming my time, the reality is that you and I understand that. We understand what these realities are, but how does the rest of the world look at us? How does the rest of the world look at us, talking about Cuba for a single moment, in terms of the embargo, and the United Nations, and the General Assembly has a vote of 172-to-3 condemning the United States because of the imposition of the embargo?

You have to acknowledge that this is not about a popularity contest. This is about our national interests because we are having trouble operating in the global village, in the global economy, in terms of dealing now with terrorism. I have noted that the national intelligence estimate indicates that al-Qaeda is back in full force. We are growing terrorists all over the world because of the perception, not because of our values, not because of our values.

In fact, it was your witness at a rather interesting hearing on extraordinary renditions, Michael Scheuer, who headed up the Osama bin Laden unit at the CIA, who said that it is not about our values; it is about our policies. That was your witness, and he was an interesting figure.

But we have to be sensitive to how the world perceives us because it is about our commercial relationships, it is about our efforts against terrorism, and it is about our national security. It is not about a popularity contest, and if we do not begin to understand that and take a long view, we are putting our democracy and our country at risk. This is not about altruism. Do I have any other posters there? I am on a roll here now.

That is the President of Azerbaijan, the son of the previous dictator, Aliyev. Mr. Halperin?

Mr. HALPERIN. Mr. Chairman, I would like to amend my “no lunch” to say “no lunch and no photo ops.”

Mr. DELAHUNT. No photo opportunities. And there is one more. That is the Secretary of State with the President of Equatorial Guinea, Mr. Obiang. No more photo ops. Maybe that is a sense-of-Congress resolution that myself and my friend from California can co-sponsor and send on to the White House to keep there for the next President, that I hope will be a Democrat so that that can remind them of what is a better course.

Mr. ROHRABACHER. I would not want to show the pictures in my closet. I have to leave them locked up.

Mr. DELAHUNT. And, you know, I want to just make a final comment about Cuba. Cuba has been a country, clearly, for 50 years, where human rights have suffered, and before that, there was a thug in charge down there, too, and I know you believe that, Mr. Calzón, that Fulgencio Batista was a thug. He was a thug, and the poor people of Cuba have suffered forever. It is not just during the Castro regime.

With that, I yield to the gentleman from New Jersey, Mr. Payne.

Mr. PAYNE. I am enjoying this. I do not even know think I would want to add anything to this very interesting hearing, but I would just not take much time, since I did not hear the testimony, al-

though I have browsed through it. I think that many of the points made are certainly points that I certainly concur with.

It is very difficult to really get a stable policy for our Government because we do treat countries differently. We have taken China from a country that was really Third World developing to, now, on the one hand, our Commerce Department and our, you know, business community and those who are in the banking community are very pleased with China and their tremendous economic prowess. On the other hand, you have our Department of Defense worrying about their expanding navy and missile shields that they are testing.

So we try to decide, what is the China policy? On the one hand, you will hear people saying it is the best thing in the world that they are getting so robust; on the other hand, you have Defense people saying, "We'd better watch them. They are our new threat." So there is really no policy at all.

If we take Egypt, that could have influence in Sudan. We look the other way when Darfur is going on, and Mubarak says he has no influence. Mubarak has all of the influence, and if he wanted to stop what is going on, the Arab League is headed by an Egyptian former Ambassador. They have done absolutely nothing, not even helped to pay for troops, and the people that are being killed are also Muslim.

This is not the old holy war, you know, the North and the South, Christians against the Muslims. So that was the story we heard, defending Bashir and that. These are all Muslims. These are all Koran-carrying, praying at noon, Muslims, who are being killed by other Muslims, and we cannot get the Arab League to step in.

Of course, the Muslims being killed are Black, from the central part of Africa centuries ago, and worked their way up to northern Africa. But it makes no sense that Egypt sits by and twiddles its thumbs and says, "We can do nothing," and we accept it. I do not want to get into China, that supplies all of the weapons for Sudan, because they are pumping the oil.

While we had a resolution declaring genocide about 3 years ago, our intelligence operation invited Salah Gosh, who heads their intelligence agency, the one who accommodated Osama bin Laden when he stayed in Sudan, we invited him to Virginia to pick his brain. He does not have a brain. His brain is murder, and killing, and raping, and here our Government invites him to have a conversation. They probably had wine first and chit-chat, you know, and small talk, and then how can you help us on the so-called "War on Terror"?

So we look at Morocco, who recolonized Spanish Sahara. The Spanish, after 200 or 300 years of colonialism, said, "Well, we are going to give it up." So what does Morocco do? They said, "We are taking it over in 1975 because it should have been a part of us 400 years ago."

So how does a country get independent when the next door neighbor takes it over, and the United States looks the other way because Morocco was a part of the Coalition of the Willing back in 1991, and Morocco was our hand that kept Mobutu propped up in Zaire, who was the brutal dictator that the United States put into Zaire.



So Morocco does our work in Africa, so we look the other way and will not let the people, the Sahara people, western Sahara, just have a vote to say whether they want to be independent or not. They are probably losing now because their people are dying, they are in prison, the Moroccans are diluting the population. They are handling the list of who can vote.

So Ethiopia is just the final one, and I certainly have strong feelings, but, like I said, I was not here to hear the testimony, but, in Ethiopia, they have sentenced people to death. I hope Mr. Rohrabacher is going to sign onto our Ethiopian legislation, the Ethiopian Democracy and Accountability Act, and ask Mr. Delahunt, too. But here we have a country that is killing its own people.

Finally, a *New York Times* reporter got into the plains up in the rural part and the atrocities that are going on. They are burning villages. They are raping women. This is Meneles, who the United States has given all of the military assistance, used AWACS to go and help his air force bomb Somalia because they said there was an al-Qaeda person there. Well, they would have to bomb Jersey City, too, because there are al-Qaeda people there also. So you do not blow up a country because you are trying to find someone who is aligned with al-Qaeda.

I would like to see al-Qaeda out, too, but if you bring in Ethiopian troops now, there was a semblance of some order with the Islamic Courts Union that had, at least, stopped piracy and murdering and killings on the street and opened up the schools again. So we go in and send in the Ethiopian troops to defeat them after the warlords who brought the Blackhawk down, and 18 of our Rangers were killed. We are supporting them with money and guns to try to defeat the Islamic Courts Union.

It is so confusing, on the so-called "policy" that we have, that, you know, we could be here for weeks. But I just would like to really thank, you know, the work that is done by Ms. Windsor and the relatively fair way that you evaluate because that is unusual today, because you have to take sides. We got ourselves into a lot of hot water during the Cold War, the Warsaw Pact countries against democracy, so we allowed these dictators to come in, and we did not care what you did with your people, as long as you were against a communist or communism.

Unfortunately, we are sliding down that same slippery slope where the War on Terror becomes the so-called "number one issue," and we are letting people like Sudan get a wink and a nod as we claim we want to end this business. Even in Turkey, the Turks killed a whole bunch of Kurds, and—sat with us in NATO, but we had a no-fly zone, which we should have had for 15 years, 20 years, in Iraq to keep Saddam Hussein from killing the Kurds. Well, they should not be killing them up on the border near Turkey either. What kind of policy is that?

People around the world must look at us and say, "What in the world is going on in that country?" It is most confusing. I am supposed to be a policy-maker. I am confused. What do you think somebody overseas thinks? Absolutely no rhyme, no rhythm, no nothing, as relates to our policy, and it is a shame because we are the only super power. We have done so much good in the world,

but we get this ambivalent kind of policy where we take it country by country.

Picture Obiang of Equatorial Guinea; he had 30 Rolls Royces, and the average person lives on less than \$1 a day in that country. How could you invite him to any kind of a meeting other than some basement where you should have some other thugs push him around?

It does not even make sense, the policy. So, anyway, I really appreciate the chairman calling this hearing. You can see the frustration of a number of us, having this policy, and it is dangerous, I think, for us and our future.

Mr. DELAHUNT. I thank the gentleman. I am going to give just the panel 30 seconds for any final comments that they wish to make, and I will start with Mr. Calzón, and then we will go down the line.

Mr. CALZÓN. Thank you, Chairman Delahunt. Two things real quick: Do not underestimate the influence that you have and other members have. Many years ago, I talked Bill Richardson into asking for prisoners, and they were released. Senator Kennedy, when I met with him years ago, got prisoners out. Reverend Jesse Jackson did the same. I think you and Mr. Flake have a lot of influence.

Mr. DELAHUNT. Why do you confuse Mr. Flake and me?

Mr. CALZÓN. You know, I love you both. The other issue is, very simply, the vote in the United Nations. I cringe when I see that vote on Cuba, just like I used to cringe when I used to see the votes on Israel. So there is a problem with the United Nations, but we will put that aside.

Finally, I assume that now you understand, after looking at those pictures, how a Cuban like me feels, not when I see the President with some thug from somewhere, but when I see a Member of Congress, elected by Americans, in a nice photograph with Mr. Castro, smiling. I hope that you understand how I feel about that.

Mr. DELAHUNT. Thank you, Frank.

Ms. Windsor?

Ms. WINDSOR. Just to commend you for this hearing record and for saying that. I want to reinforce your point, which is, just because the policy of promoting human rights is difficult to apply consistently does not mean that we should not keep trying. If you look at each successive administration, of course, there have been many, many areas for improvement, but I would ask Members of Congress to not abandon it. This policy is something that needs to be advanced and strengthened.

Mr. DELAHUNT. Let me reassure you that, for this particular member, it is a paramount concern. It is just not a piece of a policy; it ought to be the centerpiece of our policy. I understand there are divergent views in terms of the blueprint to ensure that human rights are respected everywhere. As Martin Luther King said, "Injustice anywhere is a threat to justice everywhere."

So it is, for me, a vital national interest because I think that is why, despite moments in our history when we are not respected, but that, in the end, we really are, in terms of the family of nations, the shining city on the hill, if you will. Dr. Halperin?

Mr. HALPERIN. I just want to thank you for holding the hearing, just to observe that the temptation, as we saw in these pictures, for all Presidents to do the photo op, to do the lunch, and to forget to talk about human rights when they meet with dictators whose cooperation they happen to need at the moment is very strong, and we see that back through all administrations.

Therefore, I would urge the Congress to exercise oversight and criticism, regardless of whether there is a President of your party in power or the other party. It is the Congress that we need to look for a consistent defense of human rights advocates around the world.

Mr. DELAHUNT. Thank you all very much.

Mr. ROHRABACHER. Mr. Chairman, would you indulge me for a moment?

Mr. DELAHUNT. Of course.

Mr. ROHRABACHER. Mr. Payne mentioned my name in terms of Ethiopia. Let me note that I respect Mr. Payne's human rights and democratic efforts in Africa. He has provided a great deal of leadership.

I am particularly supportive of his efforts in Ethiopia, where I think that we have a government that has a chance for democracy and is sliding into dictatorship with a very cynical association with the United States under this regime, and I would be happy to do that as soon as we reach an agreement that part of his legislation will be also the return of confiscated properties of those Ethiopians who are now in the United States who have had their property illegally confiscated.

If that is part of the bill, I am with him 100 percent, and I think that this bill will pass with great vigorous support on my behalf.

Let me just clarify this one thing, Mr. Chairman, and that is when we talk about human rights, let me note, I do not have any apologies to make in terms of human rights. I have been recognized, just recently with an award from Amnesty International and others, about my human rights record.

There should be no doubt that I happen to believe that those wonderful people throughout the world, in whatever country they are, who are struggling for freedom and liberty and justice under very desperate circumstances, quite often, that they are America's greatest allies, and we should be on their side always and that whatever we have to do, whatever regime, we need to be truthful about it. We need to make sure that people know that we are on the side of those people who are struggling for democracy.

Whether or not the human rights umbrella also, in some way, suggests how we should deal with those people who are not struggling for democracy, who are not struggling for human rights but, instead, are engaged with conspiracies and struggling efforts in order to impose their brand of dictatorship on a society, like the fascists or the communists or the radical Islamists, people who would terrorize their own populations by conducting murderous attacks on civilians, whether or not our concern over their human rights, if you define someone as a terrorist as having human rights, well, then we have a disagreement.

In terms of helping those people struggling for democracy, all of those pictures that you showed, Mr. Chairman, I am with you 100

percent. We should not be cozying up to dictators, especially in China and elsewhere, all of the ones you showed. That is fine. When we meet with Mr. Mubarak, when we have to, we should discuss specific issues on human rights where there are shortcomings while, at the same time, recognizing different things they are doing that are positive.

However, again, let me emphasize this point because if we walk away from the hearing with people suggesting that I am short-changing the issue of human rights, you have got a wrong impression here. What we were discussing is, does that human rights umbrella also protect so-called "rights" of people who are engaged in activities that will include the slaughter of innocent people to terrorize populations?

I do not think so, and I think, in the United States, we execute prisoners who have murdered other people. I think that is legitimate. In the United States, we incarcerate people who have robbed and stolen from other human beings. That incarceration is just because they have violated the rights of other people.

In terms of how we treat those people, I think there is a legitimate debate, but I do not accept that I, in any way, compromised my commitment to human rights by making sure that we are aggressively fighting those people who would terrorize the people of this planet in order to establish an Islamic dictatorship or a communist dictatorship or a Nazi dictatorship or whatever their brand is. The fact is, the Bill and Dana Show, we get along very well, and we have a lot of fun doing it, but, as you can see, we both believe in what we are doing here, and there is not that much disagreement, as you might suspect. Thank you very much, Mr. Chairman.

Mr. DELAHUNT. And with that, we are adjourned.

[Whereupon, at 4:51 p.m., the subcommittee was adjourned.]

